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16 **UNITED STATES DISTRICT COURT**  
17 **CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION**

18 JORGE ACOSTA,

19 Plaintiff,

20 v.

21 MEDTRONIC USA, INC., a corporation;  
22 MEDTRONIC PLC, a public limited  
23 company; and DOES 1 through 50,  
24 inclusive,

25 Defendants.

CASE NO. 2:26-cv-2904

**NOTICE OF REMOVAL BY  
DEFENDANTS MEDTRONIC USA  
INC. AND MEDTRONIC PLC**

*[Removed from Los Angeles County  
Superior Court Case No.  
26STCV07799]*

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1 **TO THE CLERK OF THE ABOVE-ENTITLED COURT, ALL PARTIES,**  
2 **AND THEIR ATTORNEYS OF RECORD:**

3 PLEASE TAKE NOTICE THAT Defendants Medtronic USA Inc. and  
4 Medtronic plc remove to this Court, pursuant to 28 U.S.C. §§ 1332, 1441, and 1446,  
5 the claims pending as Case No. 26STCV07799 in the Superior Court of California,  
6 County of Los Angeles.

7 **I. REMOVAL STANDARD AND JURISDICTION**

8 1. Pursuant to 28 U.S.C. § 1441(a), “any civil action brought in a State court  
9 of which the district courts of the United States have original jurisdiction, may be  
10 removed by the defendant. . . to the district court of the United States for the district  
11 and division embracing the place where such action is pending.”

12 2. Under 28 U.S.C. § 1332(a)(1), federal courts have original jurisdiction  
13 over any civil action “where the matter in controversy exceeds the sum of \$75,000,  
14 exclusive of interest and costs, and is between . . . citizens of different States[.]”

15 3. A notice of removal may be filed within 30 days after receipt by the  
16 defendant, through service or otherwise, of a copy of an amended pleading, motion,  
17 order or other paper from which it may first be ascertained that the case is one which  
18 is or has become removable. *See* 28 U.S.C. § 1446(b)(1).

19 **II. PAPERS FROM REMOVED CASE**

20 4. Pursuant to 28 U.S.C. § 1446(a), Medtronic USA Inc. and Medtronic plc  
21 attach to this Notice of Removal a copy of all process, pleadings, and orders served  
22 upon them in this case. *See*, Exhibit A to Declaration of Ashley Escudero (“Escudero  
23 Decl.”) filed concurrently herewith.

24 **III. THE REMOVED CASE**

25 5. The removed case is a civil action originally filed on March 10, 2026, by  
26 Plaintiff Jorge Acosta (“Plaintiff”) in the Superior Court of California, Los Angeles  
27 County, and captioned “*Jorge Acosta v. Medtronic USA, Inc., a corporation;*  
28 *Medtronic plc, a public limited company, and DOES 1 through 50*” (the “Action”).



1 **V. REMOVAL IS PROPER UNDER 28 U.S.C. § 1332 BECAUSE**  
2 **COMPLETE DIVERSITY OF CITIZENSHIP EXISTS BETWEEN**  
3 **THE PARTIES**

4 11. There are three parties to this action: (1) Plaintiff; (2) Medtronic USA  
5 Inc.; and (3) Medtronic plc.

6 12. At all times relevant hereto, Plaintiff is and was, at the time of  
7 commencement of this action and at the time this action became removable, a resident  
8 of California. *See* Compl., ¶ 1. For purposes of removal based on diversity of  
9 citizenship, a plaintiff’s state of residence is presumptively considered to be their state  
10 of citizenship. *See Bradley Min. Co. v. Boice*, 194 F.2d 80, 84 (9th Cir. 1951); *see*  
11 *also Anderson v. Watt*, 138 U.S. 694, 706 (1891) (“The place where a person lives is  
12 taken to be [his] domicile until facts adduced establish the contrary.”). Accordingly,  
13 Plaintiff is a citizen of California.

14 13. For purposes of diversity jurisdiction, a corporation is “a citizen of every  
15 state and foreign state by which it has been incorporated and of the state or foreign  
16 state where it has its principal place of business[.]” 28 U.S.C. § 1332(c)(1).

17 14. Defendant Medtronic USA Inc. is and was, at the time Plaintiff  
18 commenced this action and at the time this action became removable, a Minnesota  
19 corporation with its principal place of business in Minnesota. Accordingly, Medtronic  
20 USA Inc. is a citizen of Minnesota.

21 15. Defendant Medtronic plc is and was, at the time Plaintiff commenced  
22 this action and at the time this action became removable, a European public limited  
23 company organized under the laws of Ireland with its principal place of business in  
24 Dublin, Ireland. Accordingly, for purposes of diversity jurisdiction, Defendant  
25 Medtronic plc is a citizen of Ireland. *See JPMorgan Chase Bank v. Traffic Stream*  
26 *(BVI) Infrastructure Ltd.*, 536 U.S. 88 (2002). Medtronic plc is not and was not at the  
27 time of commencement of this action or the time this action became removable, a  
28 citizen of the State of California or a citizen of any foreign state within the meaning

1 of the Acts of Congress relating to the removal of actions. *See* 28 U.S.C. § 1332(c)(1).  
2 Medtronic plc has not been served with the Summons and Complaint but agrees to  
3 removal of the Action.

4 16. The citizenship of DOES 1-50 is disregarded for the purposes of removal  
5 and determining diversity jurisdiction. *See* 28 U.S.C. § 1441(a) (“For purposes of  
6 removal under this chapter, the citizenship of defendants sued under fictitious names  
7 shall be disregarded.”).

8 17. Therefore, because Plaintiff is a citizen of California whereas Defendant  
9 Medtronic USA Inc. is a citizen of Minnesota and Defendant Medtronic plc is a citizen  
10 of Ireland, complete diversity of citizenship exists between the real parties in interest.  
11 *See* 28 U.S.C. § 1332.

12 **VI. REMOVAL IS PROPER UNDER 28 U.S.C. § 1446 BECAUSE THE**  
13 **AMOUNT IN CONTROVERSY EXCEEDS \$75,000**

14 18. Pursuant to 28 U.S.C. § 1446(c)(2)(B), removal is proper if the Court  
15 finds, by a preponderance of the evidence, that the amount in controversy exceeds  
16 \$75,000, exclusive of interests and costs. “The amount in controversy is simply an  
17 estimate of the total amount in dispute, not a prospective assessment of defendant’s  
18 liability.” *Lewis v. Verizon Comms., Inc.*, 627 F.3d 395, 400 (9th Cir. 2010). “To  
19 establish the jurisdictional amount, [Defendants] need not concede liability for the  
20 entire amount” plaintiff seeks. *Id.* When determining the amount in controversy,  
21 courts should first look to the complaint. *See St. Paul Mercury Indem. Co. v. Red Cab*  
22 *Co.*, 303 U.S. 283, 289 (1938). The removing defendant only bears the burden of  
23 establishing, by a preponderance of the evidence, that the amount in controversy  
24 exceeds \$75,000 where the Complaint does not specify a particular amount of  
25 damages. *Sanchez v. Monumental Life Ins. Co.*, 102 F.3d 398, 404 (9th Cir. 1996).

26 19. To determine the amount in controversy, a district court takes into  
27 account claims for general damages, pain and suffering, out-of-pocket loss, emotional  
28 distress, punitive damages, and attorneys’ fees. *Richmond v. Allstate Ins. Co.*, 897 F.

1 Supp. 477, 449-50 (S.D. Cal. 1995). The “amount in controversy is not measured by  
2 the low end of an open-ended claim, but rather by a reasonable reading of the value  
3 of the rights being litigated.” *Kenneth Rothschild Trust v. Morgan Stanley Dean*  
4 *Witter*, 199 F. Supp. 2d 993, 1001 (C.D. Cal. 2002). Courts may use “judicial  
5 experience and common sense” in determining whether it is “facially apparent” that  
6 the amount in controversy is satisfied. *Dourian v. Stryker Corp.*, No. CV 12-1790  
7 DSF (CWx), 2012 U.S. Dist. LEXIS 195347, at \*2 (C.D. Cal. Apr. 25, 2012).

8         20. The amount in controversy need not be stated in the state court pleadings,  
9 but it may be “facially apparent” from the nature of the injury claimed, the wrong  
10 alleged, or other allegations, that the amount in controversy exceeds the jurisdictional  
11 minimum. *See Bush v. Winn Dixie Montgomery, LLC*, 132 F. Supp. 3d 1317, 1318-  
12 1320 (N.D. Ala. 2015). In determining whether the amount in controversy is proper  
13 for diversity jurisdiction, the Ninth Circuit has “[. . .] endorsed the Fifth Circuit’s  
14 practice of considering facts presented in the removal petition as well as any summary-  
15 judgment-type evidence relevant to the amount in controversy at the time of the  
16 removal.” *Matheson v. Progressive Specialty Ins. Co.*, 319 F.3d 1089, 1090 (9th Cir.  
17 2003) (citing *Singer v. State Farm Mut. Auto. Ins. Co.*, 116 F.3d 373, 377 (9th Cir.  
18 1997)). Indeed, *Gebbia v. Wal-Mart Stores* is instructive. 233 F.3d 880, 881 (5th Cir.  
19 2000). There, the Fifth Circuit found it was apparent from the face of the complaint  
20 that the alleged damages resulting from a slip and fall for “medical expenses, physical  
21 pain and suffering, mental anguish and suffering, loss of enjoyment of life, loss of  
22 wages and earning capacity, and permanent disability and disfigurement” satisfied the  
23 jurisdictional amount. *Id.*; *see also Campbell v. Bridgestone/Firestone, Inc.*, No.  
24 CIVF051499FVSDLB, 2006 WL 707291, at \*2 (E.D. Cal. Mar. 17, 2006) (amount in  
25 controversy satisfied where plaintiff asserted strict products liability, negligence, and  
26 breach of warranty claims, and allegedly suffered head trauma and broken bones).

27         21. Here, it is clear from the face of the Complaint that the amount in  
28 controversy exceeds \$75,000, exclusive of costs and interest. Plaintiff alleges that, as

1 a result of Medtronic USA Inc. and Medtronic plc's alleged conduct and the allegedly  
2 defective mesh implanted during his Hernia Surgery, he "...experienced severe and  
3 continuous sharp, burning pain..." Compl., ¶ 11. Plaintiff also alleges that he  
4 "underwent multiple follow-up appointments and treatments, including nerve block  
5 procedures..." Compl., ¶ 12. Further, Plaintiff alleges he "continues to suffer from  
6 chronic debilitating pain, functional limitations, sleep disturbance, emotional distress,  
7 and loss of income." Compl., ¶ 14. Moreover, Plaintiff seeks general and special  
8 damages, past and future medical expenses, past and future lost earnings and lost  
9 earning capacity, punitive damages, and exemplary damages. Compl., p. 7, lines 9-  
10 13.

11 22. Accordingly, it is facially apparent that Plaintiff's alleged damages  
12 exceed the \$75,000 threshold set forth in 28 U.S.C. § 1332. *See Gebbia*, 233 F.3d 880  
13 at 881.

14 **VII. REMOVAL IS PROPER UNDER U.S.C. § 1446 BECAUSE THE**  
15 **NOTICE OF REMOVAL IS FILED WITHIN 30 DAYS**

16 23. Plaintiff filed the Action on March 10, 2026. *See* Compl., page 1.

17 24. Plaintiff personally served the Summons and Complaint for the Action  
18 on Medtronic USA Inc. on March 12, 2026, via its registered agent for service of  
19 process. *Escudero Decl.*, Ex. C

20 25. This Notice of Removal is therefore timely. Medtronic USA Inc. and  
21 Medtronic plc filed this Notice of Removal on March 18, 2026, within "30 days after  
22 receipt by the defendant, through service or otherwise, of a ... paper from which it  
23 may first be ascertained that the case is one which is or has become removable." *See*  
24 28 U.S.C. §1446(b)(1).

25 **VIII. MEDTRONIC USA INC. AND MEDTRONIC PLC HAVE COMPLIED**  
26 **OR WILL COMPLY WITH ALL PROCEDURAL REQUIREMENTS**

27 26. Medtronic USA Inc. and Medtronic plc will provide written notice to  
28 Plaintiff of this filing as required by 28 U.S.C. § 1446(d).

1 27. A copy of this Notice of Removal will be filed with the clerk of the  
2 Superior Court of California, Los Angeles County, as required by 28 U.S.C. §  
3 1446(d).

4 **IX. CONCLUSION**

5 28. Removal is proper. As demonstrated above, this Court has original  
6 jurisdiction over this action because: (1) this Court is the district and division  
7 embracing the place where the action is pending; (2) complete diversity exists  
8 between the Plaintiff and Medtronic USA Inc and Medtronic plc; (3) the amount in  
9 controversy exceeds \$75,000; and (4) Medtronic USA Inc. and Medtronic plc timely  
10 filed the removal.

11 Dated: March 18, 2026

**DLA PIPER LLP (US)**

By: /s/Ashley Escudero

ASHLEY ESCUDERO  
ALEXANDERIA V. BINGHAM  
Attorneys for Defendants  
Medtronic USA Inc. and Medtronic plc

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14 Attorneys for Defendants  
15 Medtronic USA Inc. and Medtronic plc

16 **UNITED STATES DISTRICT COURT**  
17 **CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION**

18 JORGE ACOSTA,  
19 Plaintiff,  
20 v.  
21 MEDTRONIC USA, INC., a corporation;  
22 MEDTRONIC PLC, a public limited  
23 company; and DOES 1 through 50,  
24 inclusive,  
25 Defendants.

CASE NO. 2:26-cv-2904

**DECLARATION OF ASHLEY  
ESCUDERO IN SUPPORT OF  
NOTICE OF REMOVAL BY  
DEFENDANTS MEDTRONIC USA  
INC. AND MEDTRONIC PLC**

*[Removed from Los Angeles County  
Superior Court Case No.  
26STCV07799]*

1 I, Ashley Escudero, declare the following:

2 1. I am an active member of the State Bar of California and admitted to  
3 practice before the United States District Court, Central District of California. I am  
4 an attorney with the law firm DLA Piper LLP (US), attorneys of record for  
5 Defendants Medtronic USA Inc. and Medtronic plc. I have personal knowledge of  
6 the facts and procedural history set forth herein and would competently testify thereto  
7 if called to do so.

8 2. Attached hereto as **Exhibit A** is a true and correct copy of all process,  
9 pleadings, and orders served upon Medtronic USA Inc. and Medtronic plc in this  
10 action.

11 3. Plaintiff Jorge Acosta filed his original Complaint for Damages in this  
12 action on March 10, 2026, in the Superior Court of California, Los Angeles County.  
13 Attached hereto as **Exhibit B** is a true and correct copy of the Complaint.

14 4. Plaintiff personally served the Summons and Complaint for the Los  
15 Angeles County Superior Court action on Medtronic USA Inc. on March 12, 2026,  
16 via its registered agent for service of process. A true and correct copy of the proof of  
17 service on Medtronic USA Inc. is attached hereto as **Exhibit C**.

18 I declare under penalty of perjury under the laws of the United States of  
19 America, that the foregoing is true and correct. Signed this 18th day of March 2026,  
20 in San Diego, California.

21 

22 \_\_\_\_\_  
23 ASHLEY ESCUDERO

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# **EXHIBIT**

# **A**

**SUMMONS  
(CITACION JUDICIAL)**

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

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

MEDTRONIC USA, INC., a corporation; MEDTRONIC PLC, a public limited company; and DOES 1 through 50, inclusive,

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

JORGE ACOSTA, an individual

**Electronically FILED by  
Superior Court of California,  
County of Los Angeles  
3/10/2026 6:25 PM  
David W. Slayton,  
Executive Officer/Clerk of Court,  
By P. Rodriguez, Deputy Clerk**

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](http://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](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://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](http://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](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.sucorte.ca.gov](http://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: Stanley Mosk Courthouse  
(El nombre y dirección de la corte es): 111 N Hill St, Los Angeles, CA 90012

CASE NUMBER:  
(Número del Caso):

26STCV07799

David W. Slayton, Executive Officer/Clerk of Court

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):

Kenneth J. Melrose, P.O. Box 3156 North Hollywood, California 91609, (626) 692-6270

DATE: 03/10/2026 Clerk, by P. Rodriguez, 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)).



**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 (authorized person)  
 other (specify):
4.  by personal delivery on (date):

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: <b>Kenneth J. Melrose</b> FIRM NAME: LAW OFFICE OF KENNETH J. MELROSE, APC STREET ADDRESS: PO BOX 3156 CITY: LOS ANGELES STATE: CA ZIP CODE: 93436 TELEPHONE NO.: 626-692-6270 FAX NO.: EMAIL ADDRESS: e-service@melroselaw.com ATTORNEY FOR (name): <b>JORGE ACOSTA</b>	<b>FOR COURT USE ONLY</b>  <b>Electronically FILED by                  Superior Court of California,                  County of Los Angeles                  3/10/2026 6:25 PM                  David W. Slayton,                  Executive Officer/Clerk of Court,                  By P. Rodriguez, Deputy Clerk</b>	
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles</b> STREET ADDRESS: 111 N Hill St, Los Angeles, CA 90012 MAILING ADDRESS: CITY AND ZIP CODE: CA 90012 BRANCH NAME: Stanley Mosk Courthouse		
CASE NAME: JORGE ACOSTA vs. MEDTRONIC USA, INC., a corporation; MEDTRONIC PLC, a public limited company		
<b>CIVIL CASE COVER SHEET</b> <input checked="" type="checkbox"/> <b>Unlimited</b> (Amount demanded exceeds \$35,000) <input type="checkbox"/> <b>Limited</b> (Amount demanded is \$35,000 or less)	<b>Complex Case Designation</b> <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	CASE NUMBER: <b>26STCV07799</b> JUDGE: DEPT.:

*Items 1–6 below must be completed (see instructions on page 2).*

1. Check **one** box below for the case type that best describes this case:

<input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) <b>Asbestos</b> <input type="checkbox"/> Asbestos (04) <b>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</b> <input type="checkbox"/> Product liability (24) <input checked="" type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) <b>Non-PI/PD/WD (Other) Tort</b> <input type="checkbox"/> Business tort/Unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) <b>Employment</b> <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	<b>Contract</b> <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) <b>Real Property</b> <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) <b>Unlawful Detainer</b> <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) <b>Judicial Review</b> <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39) <b>Employment Development Department (EDD)</b> <input type="checkbox"/> EDD decision review (48)	<b>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.404)</b> <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Comprehensive groundwater adjudication (47) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) <b>Enforcement of Judgment</b> <input type="checkbox"/> Enforcement of judgment (20) <b>Miscellaneous Civil Complaint</b> <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint ( <i>not specified above</i> ) (42) <b>Miscellaneous Civil Petition</b> <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition ( <i>not specified above</i> ) (43)
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2. Is this case complex under rule 3.400 of the California Rules of Court?  Yes  No  
 If the case is complex, mark the factors requiring exceptional judicial management:
- a.  Large number of separately represented parties
  - b.  Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
  - c.  Substantial amount of documentary evidence
  - d.  Large number of witnesses
  - e.  Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
  - f.  Substantial postjudgment judicial supervision
3. Remedies sought (*check all that apply*):
- a.  monetary
  - b.  nonmonetary; declaratory or injunctive relief
  - c.  punitive
4. Number of causes of action (*specify*):
5. Is this case a class action suit?  Yes  No
6. If there are any known related cases, file and serve a notice of related case. (*You may use form CM-015.*)

Date: March 10, 2026

Abigail White, Esq.

(TYPE OR PRINT NAME)



(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

**NOTICE**

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 of the California Rules of Court or a complex case, this cover sheet will be used for statistical purposes only.

**INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET**

**To Plaintiffs and Others Filing First Papers.** If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the Civil Case Cover Sheet contained on pages 1 and 2. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

**To Parties in Rule 3.740 Collections Cases.** A "collections case" under rule 3.740 of the California Rules of Court is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$35,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

**To Parties in Complex Cases.** In complex cases only, parties must also use the Civil Case Cover Sheet to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

**SEE PAGE 3 FOR INFORMATION PURPOSES ONLY.**



## CASE TYPES AND EXAMPLES

**Auto Tort**

Auto (22)–Personal Injury/Property Damage/  
Wrongful Death  
Uninsured Motorist (46) *(if the case involves  
an uninsured motorist claim subject to  
arbitration, check this item instead of Auto)*

**Asbestos**

Asbestos (04)  
Asbestos Property Damage  
Asbestos Personal Injury/Wrongful Death

**Other PI/PD/WD (Personal Injury/****Property Damage/Wrongful Death) Tort**

Product Liability *(not asbestos or toxic/  
environmental)* (24)  
Medical Malpractice (45)  
Medical Malpractice–Physicians &  
Surgeons  
Other Professional Health Care  
Malpractice  
Other PI/PD/WD (23)  
Premises Liability (e.g., slip and fall)  
Intentional Bodily Injury/PD/WD (e.g.,  
assault, vandalism)  
Intentional Infliction of Emotional Distress  
Negligent Infliction of Emotional Distress  
Other PI/PD/WD

**Non-PI/PD/WD (Other) Tort**

Business Tort/Unfair Business Practice (07)  
Civil Rights (e.g., discrimination, false arrest)  
*(not civil harassment)* (08)  
Defamation (e.g., slander, libel) (13)  
Fraud (16)  
Intellectual Property (19)  
Professional Negligence (25)  
Legal Malpractice  
Other Professional Malpractice *(not  
medical or legal)*  
Other Non-PI/PD/WD Tort (35)

**Employment**

Wrongful Termination (36)  
Other Employment (15)

**Contract**

Breach of Contract/Warranty (06)  
Breach of Rental/Lease Contract *(not  
unlawful detainer or wrongful eviction)*  
Contract/Warranty Breach–Seller Plaintiff  
*(not fraud or negligence)*  
Negligent Breach of Contract/Warranty  
Other Breach of Contract/Warranty  
Collections (e.g., money owed, open book  
accounts) (09)  
Collections Case–Seller Plaintiff  
Other Promissory Note/Collections Case  
Insurance Coverage *(not provisionally  
complex)* (18)  
Auto Subrogation  
Other Coverage  
Other Contract (37)  
Contractual Fraud  
Other Contract Dispute

**Real Property**

Eminent Domain/Inverse Condemnation (14)  
Wrongful Eviction (33)  
Other Real Property (e.g., quiet title) (26)  
Writ of Possession of Real Property  
Mortgage Foreclosure  
Quiet Title  
Other Real Property *(not eminent  
domain, landlord-tenant, or  
foreclosure)*

**Unlawful Detainer**

Commercial (31)  
Residential (32)  
Drugs (38) *(if the case involves illegal drugs,  
check this item; otherwise, report as  
Commercial or Residential)*

**Judicial Review**

Asset Forfeiture (05)  
Petition re Arbitration Award (11)  
Writ of Mandate (02)  
Writ–Administrative Mandamus  
Writ–Mandamus on Limited Court Case  
Matter  
Writ–Other Limited Court Case Review  
Other Judicial Review (39)  
Review of Health Officer Order  
Notice of Appeal–Labor Commissioner  
Appeals

**Employment Development Department (EDD)**

EDD Decision Review (48) *(if the case  
involves an Employment Development  
Department decision, check this item  
instead of Wrongful Termination or Other  
Employment)*

**Provisionally Complex Civil Litigation (Cal.****Rules of Court, rules 3.400–3.403)**

Antitrust/Trade Regulation (03)  
Construction Defect (10)  
Claims Involving Mass Tort (40)  
Securities Litigation (28)  
Environmental/Toxic Tort (30)  
Comprehensive Groundwater Adjudication  
(47)  
Insurance Coverage Claims *(arising from  
provisionally complex case type listed  
above)* (41)

**Enforcement of Judgment**

Enforcement of Judgment (20)  
Abstract of Judgment (Out of County)  
Confession of Judgment *(non-domestic  
relations)*  
Sister-State Judgment  
Administrative Agency Award *(not unpaid  
taxes)*  
Petition/Certification of Entry of Judgment  
on Unpaid Taxes  
Other Enforcement of Judgment Case

**Miscellaneous Civil Complaint**

RICO (27)  
Other Complaint *(not specified above)* (42)  
Declaratory Relief Only Injunctive Relief  
Only *(non-harassment)*  
Mechanic's Lien  
Other Commercial Complaint Case *(non-  
tort/non-complex)*  
Other Civil Complaint *(non-tort/non-  
complex)*

**Miscellaneous Civil Petition**

Partnership and Corporate Governance (21)  
Other Petition *(not specified above)* (43)  
Civil Harassment  
Workplace Violence  
Elder/Dependent Adult Abuse  
Election Contest  
Petition for Name Change  
Petition for Relief From Late Claim  
Other Civil Petition

SHORT TITLE JORGE ACOSTA vs. MEDTRONIC USA, INC	CASE NUMBER 26STCV07799
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**CIVIL CASE COVER SHEET ADDENDUM AND STATEMENT OF LOCATION**

(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)

This form is required pursuant to Local Rule 2.3 in all new civil case filings in the Los Angeles Superior Court.

**Step 1:** After completing the Civil Case Cover Sheet (Judicial Council Form CM-010), find the exact case type in Column A that corresponds to the case type indicated in the Civil Case Cover Sheet.

**Step 2:** In Column B, check the box for the type of action that best describes the nature of the case.

**Step 3:** In Column C, circle the number which explains the reason for the court filing location you have chosen.

Applicable Reasons for Choosing Courthouse Location (Column C)	
1. Class Actions must be filed in the Stanley Mosk Courthouse, Central District.	7. Location where petitioner resides.
2. Permissive filing in Central District.	8. Location wherein defendant/respondent functions wholly.
3. Location where cause of action arose.	9. Location where one or more of the parties reside.
4. Location where bodily injury, death or damage occurred.	10. Location of Labor Commissioner Office.
5. Location where performance required, or defendant resides.	11. Mandatory filing location (Hub Cases - Unlawful Detainer, Limited non-collection, Limited collection).
6. Location of property or permanently garaged vehicle.	

	A Civil Case Cover Sheet Case Type	B Type of Action (check only one)	C Applicable Reasons (see Step 3 above)
Auto/Tort	Auto (22)	<input type="checkbox"/> 2201 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1, 4
	Uninsured Motorist (46)	<input type="checkbox"/> 4601 Uninsured Motorist - Personal Injury/Property Damage/Wrongful Death	1, 4
Other Personal Injury/Property Damage/Wrongful Death	Other Personal Injury/Property Damage/Wrongful Death (23)	<input type="checkbox"/> 2301 Premise Liability (e.g., dangerous conditions of property, slip/trip and fall, dog attack, etc.)	1, 4
		<input type="checkbox"/> 2302 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, battery, vandalism, etc.)	1, 4
		<input type="checkbox"/> 2303 Intentional Infliction of Emotional Distress	1, 4
		<input type="checkbox"/> 2304 Other Personal Injury/Property Damage/Wrongful Death	1, 4
		<input type="checkbox"/> 2305 Elder/Dependent Adult Abuse/Claims Against Skilled Nursing Facility	1, 4
		<input type="checkbox"/> 2306 Intentional Conduct - Sexual Abuse (Case in any form)	1, 4

SHORT TITLE: <b>JORGE ACOSTA vs. MEDTRONIC USA, INC</b>	CASE NUMBER:
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	A Civil Case Cover Sheet Case Type	B Type of Action (check only one)	C Applicable Reasons (see Step 3 above)
		<input type="checkbox"/> 2307 Construction Accidents	1, 4
		<input type="checkbox"/> 2308 Landlord-Tenant Habitability (e.g., bed bugs, mold, etc.)	1, 4
Other Personal Injury/ Property Damage/ Wrongful Death	Product Liability (24)	<input type="checkbox"/> 2401 Product Liability (not asbestos or toxic/environmental)	1, 4
		<input type="checkbox"/> 2402 Product Liability - Song-Beverly Consumer Warranty Act (CA Civil Code §§ 1790-1795.8) (Lemon Law)	1, 3, 5
	Medical Malpractice (45)	<input checked="" type="checkbox"/>	1, 4
		<input type="checkbox"/> 4502 Other Professional Health Care Malpractice	1, 4
Non-Personal Injury/Property Damage/Wrongful Death Tort	Business Tort (07)	<input type="checkbox"/> 0701 Other Commercial/Business Tort (not fraud or breach of contract)	1, 2, 3
	Civil Rights (08)	<input type="checkbox"/> 0801 Civil Rights/Discrimination	1, 2, 3
	Defamation (13)	<input type="checkbox"/> 1301 Defamation (slander/libel)	1, 2, 3
	Fraud (16)	<input type="checkbox"/> 1601 Fraud (no contract)	1, 2, 3
	Professional Negligence (25)	<input type="checkbox"/> 2501 Legal Malpractice	1, 2, 3
		<input type="checkbox"/> 2502 Other Professional Malpractice (not medical or legal)	1, 2, 3
Other (35)	<input type="checkbox"/> 3501 Other Non-Personal Injury/Property Damage Tort	1, 2, 3	
Employment	Wrongful Termination (36)	<input type="checkbox"/> 3601 Wrongful Termination	1, 2, 3
	Other Employment (15)	<input type="checkbox"/> 1501 Other Employment Complaint Case	1, 2, 3
		<input type="checkbox"/> 1502 Labor Commissioner Appeals	10
Contract	Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> 0601 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction)	2, 5
		<input type="checkbox"/> 0602 Contract/Warranty Breach - Seller Plaintiff (no fraud/negligence)	2, 5
		<input type="checkbox"/> 0603 Negligent Breach of Contract/Warranty (no fraud)	1, 2, 5
		<input type="checkbox"/> 0604 Other Breach of Contract/Warranty (no fraud/negligence)	1, 2, 5
		<input type="checkbox"/> 0605 Breach of Rental/Lease Contract (COVID-19 Rental Debt)	2, 5
	Collections (09)	<input type="checkbox"/> 0901 Collections Case - Seller Plaintiff	5, 6, 11
		<input type="checkbox"/> 0902 Other Promissory Note/Collections Case	5, 11
		<input type="checkbox"/> 0903 Collections Case - Purchased Debt (charged off consumer debt purchased on or after January 1, 2014)	5, 6, 11
		<input type="checkbox"/> 0904 Collections Case - COVID-19 Rental Debt	5, 11
Insurance Coverage (18)	<input type="checkbox"/> 1801 Insurance Coverage (not complex)	1, 2, 5, 8	

SHORT TITLE <b>JORGE ACOSTA vs. MEDTRONIC USA, INC</b>	CASE NUMBER
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	<b>A</b> Civil Case Cover Sheet Case Type	<b>B</b> Type of Action (check only one)	<b>C</b> Applicable Reasons (see Step 3 above)
<b>Contract</b> (Continued)	Other Contract (37)	<input type="checkbox"/> 3701 Contractual Fraud	1, 2, 3, 5
		<input type="checkbox"/> 3702 Tortious Interference	1, 2, 3, 5
		<input type="checkbox"/> 3703 Other Contract Dispute (not breach/insurance/fraud/negligence)	1, 2, 3, 8, 9
<b>Real Property</b>	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> 1401 Eminent Domain/Condemnation Number of Parcels _____	2, 6
	Wrongful Eviction (33)	<input type="checkbox"/> 3301 Wrongful Eviction Case	2, 6
	Other Real Property (26)	<input type="checkbox"/> 2601 Mortgage Foreclosure	2, 6
		<input type="checkbox"/> 2602 Quiet Title	2, 6
		<input type="checkbox"/> 2603 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2, 6
<b>Unlawful Detainer</b>	Unlawful Detainer - Commercial (31)	<input type="checkbox"/> 3101 Unlawful Detainer - Commercial (not drugs or wrongful eviction)	6, 11
	Unlawful Detainer - Residential (32)	<input type="checkbox"/> 3201 Unlawful Detainer - Residential (not drugs or wrongful eviction)	6, 11
	Unlawful Detainer - Post Foreclosure (34)	<input type="checkbox"/> 3401 Unlawful Detainer - Post Foreclosure	2, 6, 11
	Unlawful Detainer - Drugs (38)	<input type="checkbox"/> 3801 Unlawful Detainer - Drugs	2, 6, 11
<b>Judicial Review</b>	Asset Forfeiture (05)	<input type="checkbox"/> 0501 Asset Forfeiture Case	2, 3, 6
	Petition to Arbitration (11)	<input type="checkbox"/> 1101 Petition to Compel/Confirm/Vacate Arbitration	2, 5
	Writ of Mandate (02)	<input type="checkbox"/> 0201 Writ - Administrative Mandamus	2, 8
		<input type="checkbox"/> 0202 Writ - Mandamus on Limited Court Case Matter	2
		<input type="checkbox"/> 0203 Writ - Other Limited Court Case Review	2
	Other Judicial Review (39)	<input type="checkbox"/> 3901 Other Writ/Judicial Review	2, 8
<input type="checkbox"/> 3902 Administrative Hearing		2, 8	
<input type="checkbox"/> 3903 Parking Appeal		2, 8	
<b>Provisionally Complex Litigation</b>	Antitrust/Trade Regulation (03)	<input type="checkbox"/> 0301 Antitrust/Trade Regulation	1, 2, 8
	Asbestos (04)	<input type="checkbox"/> 0401 Asbestos Property Damage	1, 11
		<input type="checkbox"/> 0402 Asbestos Personal Injury/Wrongful Death	1, 11

SHORT TITLE: <b>JORGE ACOSTA vs. MEDTRONIC USA, INC</b>	CASE NUMBER:
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	A Civil Case Cover Sheet Case Type	B Type of Action (check only one)	C Applicable Reasons (see Step 3 above)
<b>Provisionally Complex Litigation</b> (Continued)	Construction Defect (10)	<input type="checkbox"/> 1001 Construction Defect	1, 2, 3
	Claims Involving Mass Tort (40)	<input type="checkbox"/> 4001 Claims Involving Mass Tort	1, 2, 3
	Securities Litigation (28)	<input type="checkbox"/> 2801 Securities Litigation Case	1, 2, 3
	Toxic Tort Environmental (30)	<input type="checkbox"/> 3001 Toxic Tort/Environmental	1, 2, 3, 3
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> 4101 Insurance Coverage/Subrogation (complex case only)	1, 2, 5, 3
<b>Enforcement of Judgment</b>	Enforcement of Judgment (20)	<input type="checkbox"/> 2001 Sister State Judgment	2, 5, 11
		<input type="checkbox"/> 2002 Abstract of Judgment	2, 6
		<input type="checkbox"/> 2004 Administrative Agency Award (not unpaid taxes)	2, 3
		<input type="checkbox"/> 2005 Petition/Certificate for Entry of Judgment Unpaid Tax	2, 3
		<input type="checkbox"/> 2006 Other Enforcement of Judgment Case	2, 3, 9
<b>Miscellaneous Civil Complaints</b>	RICO (27)	<input type="checkbox"/> 2701 Racketeering (RICO) Case	1, 2, 3
	Other Complaints (not specified above) (42)	<input type="checkbox"/> 4201 Declaratory Relief Only	1, 2, 3
		<input type="checkbox"/> 4202 Injunctive Relief Only (not domestic/harassment)	2, 3
		<input type="checkbox"/> 4203 Other Commercial Complaint Case (non-tort/noncomplex)	1, 2, 3
<input type="checkbox"/> 4204 Other Civil Complaint (non-tort/non-complex)	1, 2, 3		
<b>Miscellaneous Civil Petitions</b>	Partnership Corporation Governance (21)	<input type="checkbox"/> 2101 Partnership and Corporation Governance Case	2, 3
	Other Petitions (not specified above) (43)	<input type="checkbox"/> 4301 Civil Harassment with Damages	2, 3, 9
		<input type="checkbox"/> 4302 Workplace Harassment with Damages	2, 3, 9
		<input type="checkbox"/> 4303 Elder/Dependent Adult Abuse Case with Damages	2, 3, 9
		<input type="checkbox"/> 4304 Election Contest	2
		<input type="checkbox"/> 4305 Petition for Change of Name/Change of Gender	2, 7
		<input type="checkbox"/> 4306 Petition for Relief from Late Claim Law	2, 3, 3
<input type="checkbox"/> 4307 Other Civil Petition	2, 9		

SHORT TITLE: JORGE ACOSTA vs. MEDTRONIC USA, INC	CASE NUMBER:
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**Step 4: Statement of Reason and Address:** Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected. Enter the address, which is the basis for the filing location including zip code. (No address required for class action cases.)

REASON: <input type="checkbox"/> 1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input checked="" type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10. <input type="checkbox"/> 11.			ADDRESS: 2051 Marengo St	
CITY: Los Angeles	STATE: CA	ZIP CODE: 90033		

**Step 5: Certification of Assignment:** I certify that this case is properly filed in the Abigail White, Esq District of the Superior Court of California, County of Los Angeles Code of Civ. Proc., §92 et seq., and LASC Local Rule 2.3(a)(1)(E)

Dated: March 10, 2026 \_\_\_\_\_  
 (SIGNATURE OF ATTORNEY/FILING PARTY)

**PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:**

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form LASC CIV 109 (01/23).
5. Payment in full of the filing fee, unless there is a court order for waiver, partial or schedule payments.
6. A signed order appointing a Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court to issue a Summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the Summons and Complaint, or other initiating pleading in the case.

<b>SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES</b>	<small>Reserved for Clerk's File Stamp</small>  <b>FILED</b> Superior Court of California County of Los Angeles <b>03/10/2026</b> David W. Slayton, Executive Officer / Clerk of Court By: <u>          P. Rodriguez          </u> Deputy
COURTHOUSE ADDRESS: Stanley Mosk Courthouse 111 North Hill Street, Los Angeles, CA 90012	
<b>NOTICE OF CASE ASSIGNMENT UNLIMITED CIVIL CASE</b>	
<b>Your case is assigned for all purposes to the judicial officer indicated below.</b>	CASE NUMBER: <b>26STCV07799</b>

**THIS FORM IS TO BE SERVED WITH THE SUMMONS AND COMPLAINT**

	ASSIGNED JUDGE	DEPT	ROOM		ASSIGNED JUDGE	DEPT	ROOM
✓	Virginia Keeny	45					

Given to the Plaintiff/Cross-Complainant/Attorney of Record **David W. Slayton, Executive Officer / Clerk of Court**

on 03/11/2026  
(Date)

By P. Rodriguez, Deputy Clerk

**INSTRUCTIONS FOR HANDLING UNLIMITED CIVIL CASES**

The following critical provisions of the California Rules of Court, Title 3, Division 7, as applicable in the Superior Court, are summarized for your assistance.

**APPLICATION**

The Division 7 Rules were effective January 1, 2007. They apply to all general civil cases.

**PRIORITY OVER OTHER RULES**

The Division 7 Rules shall have priority over all other Local Rules to the extent the others are inconsistent.

**CHALLENGE TO ASSIGNED JUDGE**

A challenge under Code of Civil Procedure Section 170.6 must be made within **15** days after notice of assignment for all purposes to a judge, or if a party has not yet appeared, within 15 days of the first appearance.

**TIME STANDARDS**

Cases assigned to the Independent Calendaring Courts will be subject to processing under the following time standards:

**COMPLAINTS**

All complaints shall be served within 60 days of filing and proof of service shall be filed within 90 days.

**CROSS-COMPLAINTS**

Without leave of court first being obtained, no cross-complaint may be filed by any party after their answer is filed. Cross-complaints shall be served within 30 days of the filing date and a proof of service filed within 60 days of the filing date.

**STATUS CONFERENCE**

A status conference will be scheduled by the assigned Independent Calendar Judge no later than 270 days after the filing of the complaint. Counsel must be fully prepared to discuss the following issues: alternative dispute resolution, bifurcation, settlement, trial date, and expert witnesses.

**FINAL STATUS CONFERENCE**

The Court will require the parties to attend a final status conference not more than 10 days before the scheduled trial date. All parties shall have motions in limine, bifurcation motions, statements of major evidentiary issues, dispositive motions, requested form jury instructions, special jury instructions, and special jury verdicts timely filed and served prior to the conference. These matters may be heard and resolved at this conference. At least five days before this conference, counsel must also have exchanged lists of exhibits and witnesses, and have submitted to the court a brief statement of the case to be read to the jury panel as required by Chapter Three of the Los Angeles Superior Court Rules.

**SANCTIONS**

The court will impose appropriate sanctions for the failure or refusal to comply with Chapter Three Rules, orders made by the Court, and time standards or deadlines established by the Court or by the Chapter Three Rules. Such sanctions may be on a party, or if appropriate, on counsel for a party.

**This is not a complete delineation of the Division 7 or Chapter Three Rules, and adherence only to the above provisions is therefore not a guarantee against the imposition of sanctions under Trial Court Delay Reduction. Careful reading and compliance with the actual Chapter Rules is imperative.**

**Class Actions**

Pursuant to Local Rule 2.3, all class actions shall be filed at the Stanley Mosk Courthouse and are randomly assigned to a complex judge at the designated complex courthouse. If the case is found not to be a class action it will be returned to an Independent Calendar Courtroom for all purposes.

**\*Provisionally Complex Cases**

Cases filed as provisionally complex are initially assigned to the Supervising Judge of complex litigation for determination of complex status. If the case is deemed to be complex within the meaning of California Rules of Court 3.400 et seq., it will be randomly assigned to a complex judge at the designated complex courthouse. If the case is found not to be complex, it will be returned to an Independent Calendar Courtroom for all purposes.



*Superior Court of California, County of Los Angeles*

**ALTERNATIVE DISPUTE RESOLUTION (ADR) INFORMATION PACKAGE**

**THE PLAINTIFF MUST SERVE THIS ADR INFORMATION PACKAGE ON EACH PARTY WITH THE COMPLAINT.  
CROSS-COMPLAINANTS MUST SERVE THIS ADR INFORMATION PACKAGE ON ANY NEW PARTIES NAMED TO THE ACTION WITH THE CROSS-COMPLAINT.**

**WHAT IS ADR?**

Alternative Dispute Resolution (ADR) helps people find solutions to their legal disputes without going to trial. The Court offers a variety of ADR resources and programs for various case types.

**TYPES OF ADR**

- **Negotiation.** Parties may talk with each other about resolving their case at any time. If the parties have attorneys, they will negotiate for their clients.
- **Mediation.** Mediation may be appropriate for parties who want to work out a solution but need help from a neutral third party. A mediator can help the parties reach a mutually acceptable resolution. Mediation may be appropriate when the parties have communication problems and/or strong emotions that interfere with resolution. Mediation may not be appropriate when the parties want a public trial, lack equal bargaining power, or have a history of physical or emotional abuse.
- **Arbitration.** Less formal than a trial, parties present evidence and arguments to an arbitrator who decides the outcome. In "binding" arbitration, the arbitrator's decision is final; there is no right to trial. In "nonbinding" arbitration, any party can request a trial after the arbitrator's decision.
- **Settlement Conferences.** A judge or qualified settlement officer assists the parties in evaluating the strengths and weaknesses of the case and in negotiating a settlement. Mandatory settlement conferences may be ordered by a judicial officer. In some cases, voluntary settlement conferences may be requested by the parties.

**ADVANTAGES OF ADR**

- **Save time and money.** Utilizing ADR methods is often faster than going to trial and parties can save on court costs, attorney's fees, and other charges.
- **Reduce stress and protect privacy.** ADR is conducted outside of a courtroom setting and does not involve a public trial.
- **Help parties maintain control.** For many types of ADR, parties may choose their ADR process and provider.

**DISADVANTAGES OF ADR**

- **Costs.** If the parties do not resolve their dispute, they may have to pay for ADR, litigation, and trial.
- **No Public Trial.** ADR does not provide a public trial or decision by a judge or jury.

**WEBSITE RESOURCES FOR ADR**

- **Los Angeles Superior Court ADR website:** [www.lacourt.org/ADR](http://www.lacourt.org/ADR)
- **California Courts ADR website:** [www.courts.ca.gov/programs-adr.htm](http://www.courts.ca.gov/programs-adr.htm)

**Los Angeles Superior Court ADR Programs for Unlimited Civil (cases valued over \$35,000)**

Litigants should closely review the requirements for each program and the types of cases served.

- **Civil Mediation Vendor Resource List.** Litigants in unlimited civil cases may use the Civil Mediation Vendor Resource List to arrange voluntary mediations without Court referral or involvement. The Resource List includes organizations that have been selected through a formal process that have agreed to provide a limited number of low-cost or no-cost mediation sessions with attorney mediators or retired judges. Organizations may accept or decline cases at their discretion. Mediations are scheduled directly with these organizations and are most often conducted through videoconferencing. The organizations on the Resource List target active civil cases valued between \$50,000-\$250,000, though cases outside this range may be considered. *For more information and to view the list of vendors and their contact information, download the Resource List Flyer and FAQ Sheet at [www.lacourt.org/ADR/programs.html](http://www.lacourt.org/ADR/programs.html).*  
**RESOURCE LIST DISCLAIMER:** The Court provides this list as a public service. The Court does not endorse, recommend, or make any warranty as to the qualifications or competency of any provider on this list. Inclusion on this list is based on the representations of the provider. The Court assumes no responsibility or liability of any kind for any act or omission of any provider on this list.
- **Mediation Volunteer Panel (MVP).** Unlimited civil cases referred by judicial officers to the Court's Mediation Volunteer Panel (MVP) are eligible for three hours of virtual mediation at no cost with a qualified mediator from the MVP. Through this program, mediators volunteer preparation time and three hours of mediation at no charge. If the parties agree to continue the mediation after three hours, the mediator may charge their market hourly rate. When a case is referred to the MVP, the Court's ADR Office will provide information and instructions to the parties. The Notice directs parties to meet and confer to select a mediator from the MVP or they may request that the ADR Office assign them a mediator. The assigned MVP mediator will coordinate the mediation with the parties. *For more information or to view MVP mediator profiles, visit the Court's ADR webpage at [www.lacourt.org/ADR](http://www.lacourt.org/ADR) or email [ADRCivil@lacourt.org](mailto:ADRCivil@lacourt.org).*
- **Mediation Center of Los Angeles (MCLA) Referral Program.** The Court may refer unlimited civil cases to mediation through a formal contract with the Mediation Center of Los Angeles (MCLA), a nonprofit organization that manages a panel of highly qualified mediators. Cases must be referred by a judicial officer or the Court's ADR Office. The Court's ADR Office will provide the parties with information for submitting the case intake form for this program. MCLA will assign a mediator based on the type of case presented and the availability of the mediator to complete the mediation in an appropriate time frame. MCLA has a designated fee schedule for this program. *For more information, contact the Court's ADR Office at [ADRCivil@lacourt.org](mailto:ADRCivil@lacourt.org).*
- **Resolve Law LA (RLLA) Virtual Mandatory Settlement Conferences (MSC).** Resolve Law LA provides three-hour virtual Mandatory Settlement Conferences at no cost for personal injury and non-complex employment cases. Cases must be ordered into the program by a judge pursuant to applicable Standing Orders issued by the Court and must complete the program's online registration process. The program leverages the talent of attorney mediators with at least 10 years of litigation experience who volunteer as settlement officers. Each MSC includes two settlement officers, one each from the plaintiff and defense bars. Resolve Law LA is a joint effort of the Court, Consumer Attorneys Association of Los Angeles County (CAALA), Association of Southern California Defense Counsel (ASCDC), Los Angeles Chapter of the American Board of Trial Advocates (LA-ABOTA), Beverly Hills Bar Foundation (BHBF), California Employment Lawyers Association (CELA), and Los Angeles County Bar Association (LACBA). *For more information, visit <https://resolvewlawla.com>.*

- **Judicial Mandatory Settlement Conferences (MSCs).** Judicial MSCs are ordered by the Court for unlimited civil cases and may be held close to the trial date or on the day of trial. The parties and their attorneys meet with a judicial officer who does not make a decision, but who instead assists the parties in evaluating the strengths and weaknesses of the case and in negotiating a settlement. For more information, visit <https://www.lacourt.org/division/civil/CI0047.aspx>.

**Los Angeles Superior Court ADR Programs for Limited Civil (cases valued below \$35,000)**

Litigants should closely review the requirements for each program and the types of cases served.

- **Dispute Resolution Program Act (DRPA) Day-of-Hearing Mediation.** Through the Dispute Resolution Program Act (DRPA), the Court works with county-funded agencies, including the Los Angeles County Department of Consumer & Business Affairs (DCBA) and the Center for Conflict Resolution (CCR), to provide voluntary day-of-hearing mediation services for small claims, unlawful detainer, limited civil, and civil harassment matters. DCBA and CCR staff and trained volunteers serve as mediators, primarily for self-represented litigants. There is no charge to litigants. *For more information, visit <https://dcba.lacounty.gov/countywidedrp>.*
- **Temporary Judge Unlawful Detainer Mandatory Settlement Conference Pilot Program.** Temporary judges who have been trained as settlement officers are deployed by the Court to designated unlawful detainer court locations one day each week to facilitate settlement of unlawful detainer cases on the day of trial. For this program, cases may be ordered to participate in a Mandatory Settlement Conference (MSC) by judicial officers at Stanley Mosk, Long Beach, Compton, or Santa Monica. Settlement rooms and forms are available for use on the designated day at each courthouse location. There is no charge to litigants for the MSC. *For more information, contact the Court's ADR Office at [ADRCivil@lacourt.org](mailto:ADRCivil@lacourt.org).*

<b>SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES</b>		Reserved for Clerk's File Stamp  <b>FILED</b> Superior Court of California County of Los Angeles <b>03/13/2026</b> David W. Slayton, Executive Officer / Clerk of Court By: <u>          G. Mack          </u> Deputy
COURTHOUSE ADDRESS: Stanley Mosk Courthouse 111 North Hill Street, Los Angeles, CA 90012		
PLAINTIFF: Jorge Acosta		
DEFENDANT: MEDTRONIC USA, Inc, et al.		
<b>NOTICE OF CASE MANAGEMENT CONFERENCE</b>		CASE NUMBER: 26STCV07799

TO THE PLAINTIFF(S)/ATTORNEY(S) FOR PLAINTIFF(S) OF RECORD:

You are ordered to serve this notice of hearing on all parties/attorneys of record forthwith, and meet and confer with all parties/attorneys of record about the matters to be discussed no later than 30 days before the Case Management Conference.

Your Case Management Conference has been scheduled at the courthouse address shown above on:

Date: 07/09/2026	Time: 8:30 AM	Dept.: 45
------------------	---------------	-----------

NOTICE TO DEFENDANT: THE SETTING OF THE CASE MANAGEMENT CONFERENCE DOES NOT EXEMPT THE DEFENDANT FROM FILING A RESPONSIVE PLEADING AS REQUIRED BY LAW.

Pursuant to California Rules of Court, rules 3.720-3.730, a completed Case Management Statement (Judicial Council form # CM-110) must be filed at least 15 calendar days prior to the Case Management Conference. The Case Management Statement may be filed jointly by all parties/attorneys of record or individually by each party/attorney of record. You must be familiar with the case and be fully prepared to participate effectively in the Case Management Conference.

At the Case Management Conference, the Court may make pretrial orders including the following, but not limited to, an order establishing a discovery schedule; an order referring the case to Alternative Dispute Resolution (ADR); an order reclassifying the case; an order setting subsequent conference and the trial date; or other orders to achieve the goals of the Trial Court Delay Reduction Act (Gov. Code, § 68600 et seq.)

Notice is hereby given that if you do not file the Case Management Statement or appear and effectively participate at the Case Management Conference, the Court may impose sanctions, pursuant to LASC Local Rule 3.37, Code of Civil Procedure sections 177.5, 575.2, 583.150, 583.360 and 583.410, Government Code section 68608, subdivision (b), and California Rules of Court, rule 2.2 et seq.

Dated: 03/13/2026



*Virginia Keeny*  
\_\_\_\_\_  
Judicial Officer

**CERTIFICATE OF SERVICE Virginia Keeny / Judge**

I, the below named Executive Officer/Clerk of Court of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served the Notice of Case Management Conference upon each party or counsel named below:

- by depositing in the United States mail at the courthouse in Los Angeles, California, one copy of the original filed herein in a separate sealed envelope to each address as shown below with the postage thereon fully prepaid.
- by personally giving the party notice upon filing of the complaint.

Abigail White  
PO BOX 3156  
North Hollywood, CA 91609

David W. Slayton, Executive Officer / Clerk of Court

Dated: 03/13/2026

By G. Mack  
Deputy Clerk

**NOTICE OF  
CASE MANAGEMENT CONFERENCE**

<b>SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES</b>	Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Stanley Mosk Courthouse 111 North Hill Street, Los Angeles, CA 90012	<b>FILED</b> Superior Court of California County of Los Angeles <b>03/13/2026</b> David W. Slayton, Executive Officer / Clerk of Court By: <u>          G. Mack          </u> Deputy
PLAINTIFF/PETITIONER: Jorge Acosta	
DEFENDANT/RESPONDENT: MEDTRONIC USA, Inc, et al.	
<b>CERTIFICATE OF MAILING</b>	CASE NUMBER: 26STCV07799

I, the below-named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served the **Notice of Case Management Conference** upon each party or counsel named below by placing the document for collection and mailing so as to cause it to be deposited in the United States mail at the courthouse in **Los Angeles**, California, one copy of the original filed/entered herein in a separate sealed envelope to each address as shown below with the postage thereon fully prepaid, in accordance with standard court practices.

Abigail White  
 Law Offices of Kenneth J. Melrose  
 PO BOX 3156  
 North Hollywood, CA 91609

David W. Slayton, Executive Officer / Clerk of Court

Dated: 03/13/2026

By:           G. Mack            
 Deputy Clerk

**CERTIFICATE OF MAILING**

# **EXHIBIT**

# **B**

Electronically FILED by  
Superior Court of California,  
County of Los Angeles  
3/10/2026 6:25 PM  
David W. Slayton,  
Executive Officer/Clerk of Court,  
By P. Rodriguez, Deputy Clerk

1 **LAW OFFICE OF KENNETH J. MELROSE, APC**  
Kenneth J. Melrose, Esq., (SBN 310113)  
2 Abigail White, Esq., (SBN 330665)  
PO Box 3156  
3 North Hollywood, CA 91609  
Telephone: (626) 692-6270  
4 Email: ken@melroslaw.com;  
abigail@melroslaw.com;  
5 e-service@melroslaw.com

6  
7 *Attorneys for Plaintiff,*  
*Jorge Acosta*

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10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
11 **COUNTY OF LOS ANGELES**

12 JORGE ACOSTA, an individual,  
13  
14 Plaintiff,

15 vs.

16 MEDTRONIC USA, INC., a corporation;  
MEDTRONIC PLC, a public limited company;  
17 and DOES 1 through 50, inclusive,  
Defendants,  
18  
19 Defendants.

) Case No. **26STCV07799**

) **COMPLAINT FOR DAMAGES; DEMAND**  
) **FOR JURY TRIAL**

1 Plaintiff JORGE ACOSTA alleges as follows:

2 **I. PARTIES**

- 3 1. Plaintiff JORGE ACOSTA is, and at all relevant times was, an individual residing in the  
4 County of Los Angeles, State of California.
- 5 2. Defendant MEDTRONIC USA, INC. is a corporation authorized to do business in the State  
6 of California. Its agent for service of process in California is Corporation Service Company  
7 (CSC), 2710 Gateway Oaks Drive, Suite 150, Sacramento, California 95833.
- 8 3. Defendant MEDTRONIC PLC is a medical device company doing business in the State of  
9 California and is the parent and/or controlling entity of Medtronic USA, Inc. Its agent for  
10 service of process in California is Corporation Service Company (CSC), 2710 Gateway  
11 Oaks Drive, Suite 150, Sacramento, California 95833.
- 12 4. Plaintiff is informed and believes, and based thereon alleges, that at all times mentioned  
13 herein, Defendants, and each of them, were engaged in the research, design, testing,  
14 manufacture, inspection, labeling, marketing, promotion, distribution, and sale of the  
15 Parietex ProGrip Mesh Device, including the one which was implanted in Plaintiff.
- 16 5. Plaintiff is ignorant of the true names and capacities of Defendants sued herein as DOES 1  
17 through 50, inclusive, and therefore sues these Defendants by such fictitious names pursuant  
18 to Code of Civil Procedure section 474. Plaintiff will amend this Complaint to allege their  
19 true names and capacities when ascertained. Plaintiff is informed and believes that each of  
20 the fictitiously named Defendants is responsible in some manner for the occurrences herein  
21 alleged and that Plaintiff's injuries were proximately caused by their conduct.

22 **II. JURISDICTION AND VENUE**

- 23 6. This Court has jurisdiction over Defendants pursuant to Code of Civil Procedure section  
24 410.10.
- 25 7. Venue is proper in the County of Los Angeles because the events and omissions giving rise  
to this action occurred in this County, Plaintiff resides in this County, and Defendants  
conduct substantial business within this County.

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**III. GENERAL ALLEGATIONS**

8. On or about October 18, 2024, Plaintiff underwent right inguinal hernia repair surgery in Los Angeles County, California.
9. During that procedure, surgeons implanted a Parietex ProGrip Mesh Device into Plaintiff, one which was designed, manufactured, marketed, and distributed by Defendants.
10. The implantation of the Mesh Device was a foreseeable and intended use of the product.
11. Immediately following the surgery and placement of the Mesh Device, Plaintiff experienced severe and continuous sharp, burning pain in his groin region radiating into his abdomen and right hip.
12. Plaintiff's pain persisted beyond the expected post-operative recovery period. He underwent multiple follow-up appointments and treatments, including nerve block procedures, without relief.
13. Imaging studies performed in August 2025 revealed abnormalities in the area of implantation.
14. Plaintiff continues to suffer from chronic debilitating pain, functional limitations, sleep disturbance, emotional distress, and loss of income.
15. At the time of implantation and during the months following surgery, Plaintiff did not know, and could not reasonably have known, that his injuries were caused by a defect in the Mesh Device.
16. Plaintiff reasonably relied upon Defendants' representations that the Mesh Device was safe, effective, durable, and superior to alternative fixation methods.
17. Plaintiff is informed and believes that Defendants concealed and failed to disclose material information regarding risks associated with the Mesh Device, including but not limited to risks of shrinkage, contraction, polyester degradation, chronic inflammation, nerve entrapment from microgrips, and difficulty or impossibility of safe removal.
18. The causal connection between Plaintiff's chronic pain and the defective Mesh Device was not discoverable until well after implantation, when conservative treatments failed and his condition persisted.

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19. The statute of limitations is tolled under the discovery rule because Plaintiff did not discover, and through reasonable diligence could not have discovered, the defective nature of the Mesh Device and its causal relationship to his injuries until a time within the applicable limitations period.

20. The statute of limitations is further tolled by Defendants’ fraudulent concealment and misrepresentations, which prevented Plaintiff from discovering the true cause of his injuries.

**IV. FIRST CAUSE OF ACTION  
Strict Liability – Design Defect  
(Against All Defendants)**

21. Plaintiff realleges and incorporates by reference paragraphs 1 through 20 as though fully set forth herein.

22. Defendants designed, manufactured, tested, marketed, distributed, and sold the Mesh Device implanted in Plaintiff.

23. The Mesh Device was defectively designed in that it utilized polyester material that causes an intense chronic inflammatory response, was prone to shrinkage and contraction after implantation, contained microgrip fixation mechanisms that increased the risk of nerve entrapment, and was prone to degradation and deformation in vivo.

24. Safer feasible alternative designs existed at the time the Mesh Device was placed into the stream of commerce.

25. The risks of the Mesh Device outweighed its benefits.

26. The defective design of the Mesh Device was a substantial factor in causing Plaintiff’s injuries and damages.

**V. SECOND CAUSE OF ACTION  
Strict Liability – Failure to Warn  
(Against All Defendants)**

27. Plaintiff realleges and incorporates by reference paragraphs 1 through 26 as though fully set forth herein.

28. Defendants failed to provide adequate warnings and instructions regarding the risks associated with the Mesh Device, including risks of chronic neuropathic pain, permanent nerve entrapment, shrinkage, deformation, chronic inflammation, and the risks and difficulty of removal surgery.

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29. Defendants knew or should have known of these risks at the time the Mesh Device was distributed and sold.

30. Had adequate warnings been provided, Plaintiff’s surgeons would not have implanted the Mesh Device in Plaintiff.

31. The failure to warn was a substantial factor in causing Plaintiff’s injuries and damages.

**VI. THIRD CAUSE OF ACTION  
Strict Liability – Manufacturing Defect  
(Against All Defendants)**

32. Plaintiff realleges and incorporates by reference paragraphs 1 through 31 as though fully set forth herein.

33. The Mesh Device implanted in Plaintiff deviated from Defendants’ intended design and/or manufacturing specifications and was not manufactured in accordance with good manufacturing practices.

34. The manufacturing defect rendered the Mesh Device unreasonably dangerous.

35. The manufacturing defect was a substantial factor in causing Plaintiff’s injuries and damages.

**VII. FOURTH CAUSE OF ACTION  
Negligence  
(Against All Defendants)**

36. Plaintiff realleges and incorporates by reference paragraphs 1 through 35 as though fully set forth herein.

37. Defendants owed Plaintiff a duty to exercise reasonable care in the design, testing, manufacture, inspection, labeling, marketing, and distribution of the Mesh Device.

38. Defendants breached that duty by, among other things, failing to adequately test the Mesh Device, failing to identify and correct defects, and failing to provide adequate warnings.

39. Defendants knew or should have known that the Mesh Device posed a foreseeable risk of harm to patients, including Plaintiff.

40. Defendants’ negligence was a substantial factor in causing Plaintiff’s injuries and damages.

**VIII. FIFTH CAUSE OF ACTION  
Breach of Implied Warranty  
(Against All Defendants)**

41. Plaintiff realleges and incorporates by reference paragraphs 1 through 40 as though fully set forth herein.

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42. Defendants impliedly warranted that the Mesh Device was of merchantable quality and fit for its intended use.

43. The Mesh Device was not safe, was not fit for its intended purpose, and was not of merchantable quality at the time it left Defendants' control.

44. Plaintiff and his physicians relied upon Defendants' implied warranties.

45. Defendants' breach of implied warranties was a substantial factor in causing Plaintiff's injuries and damages.

**IX. SIXTH CAUSE OF ACTION  
Breach of Express Warranty  
(Against All Defendants)**

46. Plaintiff realleges and incorporates by reference paragraphs 1 through 45 as though fully set forth herein.

47. Defendants expressly represented that the Mesh Device was safe, effective, durable, reduced pain, preserved nerve structures, and provided long-term reinforcement.

48. These representations became part of the basis of the bargain and were relied upon by Plaintiff and his physicians.

49. The Mesh Device did not conform to Defendants' express representations.

50. Defendants' breach of express warranties was a substantial factor in causing Plaintiff's injuries and damages.

**X. SEVENTH CAUSE OF ACTION  
Fraudulent Concealment  
(Against All Defendants)**

51. Plaintiff realleges and incorporates by reference paragraphs 1 through 50 as though fully set forth herein.

52. Defendants knowingly concealed and suppressed material facts regarding the safety and risks of the Mesh Device, including known rates of chronic pain, shrinkage, degradation, nerve entrapment, and difficulty of removal.

53. Defendants had a duty to disclose these material facts because they were in a superior position to know the true facts and because they made partial representations concerning safety and efficacy.

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- 54. Defendants intended to induce physicians and patients, including Plaintiff, to rely on their representations and omissions.
- 55. Plaintiff and his physicians justifiably relied on Defendants’ representations and were unaware of the concealed facts.
- 56. As a direct and proximate result of Defendants’ fraudulent concealment, Plaintiff sustained the injuries and damages alleged herein.
- 57. Defendants acted with malice, oppression, and fraud, entitling Plaintiff to an award of punitive damages.

**XI. PRAYER FOR RELIEF**


Wherefore, Plaintiff prays for judgment against Defendants, and each of them, as follows:

- 1. For general damages according to proof;
- 2. For special damages according to proof;
- 3. For past and future medical expenses according to proof;
- 4. For past and future loss of earnings and earning capacity according to proof;
- 5. For punitive and exemplary damages as permitted by law;
- 6. For costs of suit incurred herein;
- 7. For prejudgment interest as allowed by law; and
- 8. For such other and further relief as the Court deems just and proper.

DEMAND FOR JURY TRIAL

Dated: March 10, 2026

**LAW OFFICE OF KENNETH J. MELROSE, APC**

By   
 Kenneth J. Melrose, ESQ.  
 Abigail White, ESQ.  
 Attorneys for Plaintiff,  
 JORGE ACOSTA

# **EXHIBIT**

# **C**



## Notice of Service of Process

Transmittal Number: 33533229  
Date Processed: 03/13/2026

**Primary Contact:** Julie Bonczek  
Medtronic  
710 Medtronic Pkwy  
Minneapolis, MN 55432-5603

**Electronic copy provided to:** Diane Kessler  
Tina Moore  
Christine Girgasky

---

**Entity:** Medtronic USA, Inc.  
Entity ID Number 3810351

**Entity Served:** Medtronic USA, Inc.

**Title of Action:** Jorge Acosta, an individual vs. Medtronic USA, Inc., a corporation

**Matter Name/ID:** Jorge Acosta, an individual vs. Medtronic USA, Inc., a corporation (18868473)

**Document(s) Type:** Summons/Complaint

**Nature of Action:** Product Liability

**Court/Agency:** Los Angeles County Superior Court, CA

**Case/Reference No:** 26ST CV 07799

**Jurisdiction Served:** California

**Date Served on CSC:** 03/12/2026

**Answer or Appearance Due:** 30 Days

**Originally Served On:** CSC

**How Served:** Personal Service

**Sender Information:** Law Office of Kenneth J. Melrose, APC  
626-692-6270

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Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

**To avoid potential delay, please do not send your response to CSC**

251 Little Falls Drive, Wilmington, Delaware 19808-1674 (888) 690-2882 | [sop@cscglobal.com](mailto:sop@cscglobal.com)