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ORIGINAL FILED
Superior Court of California
County of Los Angeles

NOV 10 2015

Sherri R. Carter, Executive Officer/Clerk
By Amirah Hendrickson, Deputy

Pro Se for Petitioner SAMUEL A. PERRONI

D85

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

SAMUEL A. PERRONI,

Petitioner

vs.

MARK A. FAJARDO,
M.D., IN HIS OFFICIAL
CAPACITY AS CHIEF MEDICAL
EXAMINER-CORONER; LOS
ANGELES COUNTY

DEPARTMENT OF MEDICAL
EXAMINER-CORONER; JIM
McDONNELL, IN HIS OFFICIAL
CAPACITY AS SHERIFF; AND
THE COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

Respondents.

Case No. BS159480

**VERIFIED PETITION FOR WRIT
OF MANDATE DIRECTED TO
CHIEF MEDICAL EXAMINER-
CORONER MARK A. FAJARDO,
M.D.; THE LOS ANGELES
COUNTY DEPARTMENT OF
MEDICAL EXAMINER-
CORONER; SHERIFF JIM
McDONNELL; AND THE COUNTY
OF LOS ANGELES SHERIFF'S
DEPARTMENT ORDERING
COMPLIANCE WITH THE
CALIFORNIA PUBLIC RECORDS
ACT**

[Cal. Gov't Code §§ 6250 *et seq.*]

Pursuant to California Code of Civil Procedure §§ 1085 *et seq.* and the California Public Records Act, California Government Code §§ 6250 *et seq.*, petitioner, Samuel A. Perroni, petitions this Court for a Writ of Mandate directed to respondents Mark A. Fajardo, M.D., in his official capacity as Medical-Examiner Coroner (“Respondent Fajardo”) and the County of Los Angeles Department of Medical Examiner-Coroner (“Respondent Medical Examiner-Coroner”) and Jim McDonnell, in his official capacity as Los Angeles County Sheriff (“Respondent McDonnell”) and the County of Los Angeles Sheriff’s Department (“Respondent Sheriff’s Department”) commanding them to comply with the California Public Records Act (“CPRA”). By this Petition, Samuel A. Perroni alleges:

1. Samuel A. Perroni is a retired Arkansas trial lawyer. Among other things, at all times relevant to the Petition, Petitioner has been engaged in the gathering and researching of public records, including information from state and local California government agencies and departments, concerning the death of Natalie Wagner, a/k/a Natalie Wood, on or about November 29, 1981.

2. Respondent Medical Examiner-Coroner is a local government agency organized and operating in Los Angeles, California. As such, Respondent Medical-Examiner Coroner is a “public agency” within the scope of the CPRA, and may be compelled to release improperly withheld public records. Respondent Fajardo is the Chief Medical-Examiner Coroner. Respondent Sheriff’s Department is a local government agency organized and operating in Los Angeles, California. As such, Respondent Sheriff’s Department is a “public agency” within the scope of the CPRA and may be compelled to release improperly withheld public records.

Respondent McDonnell is the Los Angeles County Sherriff. See, Gov't Code §§ 6252(d); 6259(a) and (b).

COUNT ONE

MEDICAL EXAMINER-CORONER

3. On March 30, 2015, Petitioner forwarded a request for public records in Coroner's Case Number: 81-15167 regarding Natalie Wagner to Respondent Medical-Examiner Coroner. A true and correct copy of the request is attached hereto as Exhibit "A" and incorporated herein as if set forth word for word. On April 3, 2015, Respondent Medical Examiner-Coroner advised Petitioner that he owed an additional \$1.00 to obtain the records requested. At no time was there an objection or denial of Petitioner's request. A true and correct copy of Respondent Medical Examiner-Coroner's letter requesting additional funds is attached hereto as Exhibit "B" and incorporated herein as if set forth word for word.

As can be discerned from Petitioner's request, Petitioner was specific in seeking the Consultation Report of Mr. Paul Miller (hereinafter "Miller Report"). In response to Petitioner's request, Petitioner was provided a copy of the original autopsy report for Natalie Wagner (Case No. 81-15167). It did not contain the Miller Report. Of course, because the autopsy report can be obtained online, Petitioner already had, it turns out, most of the autopsy report. So, on May 18, 2015, Petitioner sent a second request concerning the Miller Report which added a request for "any other documents in the Microfilm Archives in this case." A true and correct copy of Petitioner's second request is attached hereto as Exhibit "C" and incorporated herein as if set forth word for word.

In order to assist the records custodian, Petitioner specifically advised Respondent Medical Examiner-Coroner that the Miller Report was probably in the Respondent's microfilm

archives because there was a specific mention of its retrieval in the supplemental autopsy report prepared on June 15, 2012 by the previous Medical Examiner-Coroner, *i.e.*, Dr.

Sathyavagiswaran. A true and correct copy of the narrative portion of Dr. Sathyavagiswaran's Supplemental Autopsy Report is attached hereto as Exhibit "D" and incorporated herein as if set forth word for word. In June, 2015, Petitioner received what was obviously a microfilm copy of the original autopsy report for Natalie Wagner (Case No. 81-15167). A true and correct copy of page one (1) of the microfilm document provided by Respondent Medical Examiner-Coroner is attached hereto as Exhibit "E" and incorporated herein as if set forth word for word. While the microfilm copy did contain a few additional pages not found in the online version of the autopsy report, it did **not** contain a copy of the Miller Report.

Accordingly, Petitioner made a third (technically fourth) attempt at securing the information on June 15, 2015. In Petitioner's June 15, 2015 correspondence, Petitioner thanked Respondent Medical Examiner-Coroner for the microfilm documents but again specifically requested the Miller Report "and any other documents in the microfilm archives in this case that have not already been provided." Again, Petitioner enclosed the front page of the Supplemental Report for Case No. 81-15167 regarding Natalie Wagner wherein Petitioner highlighted the language in the report that a large group of officials met and reviewed, among other things, a "report of Mr. Paul Miller which had been retrieved from department of coroner microfilm archives...." A true and correct copy of Petitioner's third letter is attached hereto as Exhibit "F" and incorporated herein as if set forth word for word.

4. After his letter of June 15, 2015, Petitioner heard nothing. Of course, this violates CPRA § 6253(c) wherein a public agency is to respond to a public records act request within "ten (10) working days of receipt...." So, on July 30, 2015, over forty-five (45) days after

Petitioner's third request for the Miller Report, Petitioner submitted a request directly to Respondent Fajardo. A true and correct copy of Petitioner's fourth letter is attached hereto as Exhibit "G" and incorporated herein as if set forth word for word. In the July 30, 2015 request, Petitioner pointed out that it was his fourth attempt to secure information under the CPRA. Again, Petitioner attached the front page of the Supplemental Autopsy Report for Case No. 81-15167 regarding Natalie Wagner and a second page of the Supplemental Report wherein Dr. Sathyavagiswaran stated that he evaluated, among other things, "Mr. Paul Miller's evaluation."

On August 5, 2015, Petitioner received correspondence from Lev Levon, Chief of Public Services of Respondent Department of Medical Examiner-Coroner. In that correspondence, Mr. Levon stated that the "consult/evaluation report of Mr. Paul Miller is not public record (sic) and was not generated by this department, and, therefore not disclosable by this department." In addition, Mr. Levon stated that "any information considered from Mr. Paul Miller's original evaluation for the re-evaluation of the Coroner's report has been incorporated in the disclosable Supplemental Autopsy report completed on May 20, 2012." Finally, Mr. Levon apologized for the inconvenience and stated that Petitioner would receive a refund in the mail for two (2) \$26.00 checks submitted with his second and third requests and also returned a check for \$26.00 that was included with Petitioner's fourth request. To date, Petitioner has not received a refund as indicated in Mr. Levon's letter. A true and correct copy of Mr. Levon's letter is attached hereto as Exhibit "H" and incorporated herein as if set forth word for word.

5. On August 13, 2015, Petitioner transmitted by electronic mail correspondence attached hereto as Exhibit "I" and incorporated herein as if set forth word for word. In his correspondence, Petitioner pointed out to Mr. Levon that the Miller Report was indeed a public record and was in the Medical Examiner-Coroner's possession. In addition, Petitioner pointed

out that the Report was in fact created at the request of Dr. Thomas Noguchi, the Medical Examiner-Coroner at the time of the original autopsy since Mr. Miller was an Office Deputy and Ocean Accident Consultant of the Medical Examiner-Coroner's office. To assist Mr. Levon, Petitioner added that in Dr. Noguchi's book, *Coroner*, Dr. Noguchi refers to Mr. Miller's status with the Medical Examiner-Coroner's office on pages 16, 25, and 34, *i.e.*, "...a deputy on staff...;" "...consultant on ocean accidents...;" and "...our expert..." and stresses the importance of the Miller Report (pages 24-25, 34). In addition, Petitioner stressed that under the CPRA, Respondent Medical Examiner-Coroner was required to specifically state which exemptions it was relying upon to deny Petitioner's request. See, Cal. Gov't Code § 6253(c). Moreover, Petitioner explained that the Miller Report was used by Dr. Noguchi to make his findings of "accidental death" thirty-four (34) years ago and that in addition to Dr. Noguchi, no less than three (3) authors have referred to portions of the Miller Report in books and magazines over the years. Finally, Petitioner pointed out that in one of the publications, *i.e.*, *Vanity Fair*, it stated that the Medical Examiner-Coroner's Information Officer in 1999-2000, Scott Carrier, had told the author that "everything that was in Natalie Wood's file was sent to you." See, Sam Kasner, *Vanity Fair, Natalie's Final Voyage* (March, 2000). As a consequence, Petitioner noted that any claim of exemption, assuming one legitimately existed, had been waived by the public disclosure of the Natalie Wood file and the Miller Report. See, Cal. Gov't Code § 6254.5. Petitioner also sent a copy of his letter to Respondent Fajardo, the Chief Medical Examiner-Coroner.

6. In response to his letter of August 13, 2015, Petitioner finally heard from Respondent Fajardo. In a letter dated August 24, 2015, which is attached hereto as Exhibit "J" and incorporated herein as if set forth word for word, Respondent Fajardo admitted that Mr. Paul Miller was employed by the County of Los Angeles in 1981 as a "Deputy Medical Examiner."

Respondent Fajardo also stated that even though the Miller Report was mentioned in the supplemental autopsy report dated May 20, 2012, “his office had no record of the Miller consult report having ever been released publically.” Respondent Fajardo went on to state (even though Petitioner obviously already knew it) that in the fall of 2011, four years ago, the Los Angeles County Sheriff’s Department re-opened its investigation into the Wagner case and requested that the Chief Medical Examiner-Coroner re-evaluate the case. After the re-evaluation, Respondent Fajardo pointed out that the original autopsy report was amended which “ascribed the death to be due to drowning and other undetermined factors.” Respondent Fajardo then stated that the investigation records in the possession of the Coroner are exempt from public disclosure and that the Sheriff’s Department had notified his office that “its investigation in this matter is ongoing.” Finally, Respondent Fajardo stated that the Miller Report was not subject to public disclosure because it was (1) “records of an investigation conducted or compiled by a law enforcement agency for law enforcement purposes (Govt. Code § 6254; subd. (f));” (2) “records protected by federal and state law, including but not limited to, provisions of the evidence code relating to privilege and common law privilege. (Govt. Code § 6254; subd. (k));” and (3) “records where the facts of a particular case dictate that the public interest served by not disclosing the record clearly outweigh the public interest served by disclosure of the record. (Govt. Code § 6255; subd. (a)).

The exemptions cited by Respondent Medical Examiner-Coroner are pretextual, wholly without merit and baseless.

COUNT TWO

SHERIFF’S DEPARTMENT

7. On May 19, 2015, Petitioner sent a CPRA request to Respondent Sheriff’s Department requesting a copy of the Department’s file pertaining to the investigation of the

death of Natalie Wood Wagner. A true and correct copy of the request is attached hereto as Exhibit “K” and incorporated herein as if set forth word for word. The request included “any and all interview memorandums, statements, documents, photographs, and any other file materials relating to the investigation in your possession or control.” A check in the amount of \$100 was enclosed to cover the cost of production.

8. Again, notwithstanding the provisions of Cal. Gov’t. Code § 6253(c) which requires an agency response to the request within ten (10) days of receipt, Petitioner heard nothing and received nothing. So, on July 2, 2015, Petitioner sent a second request (which attached a copy of the first request) stating that Petitioner was sure it was an “oversight.” A true and correct copy of Petitioner’s second request is attached hereto as Exhibit “L” and incorporated herein as if set forth word for word.

9. Two weeks later on July 16, 2015, Petitioner received a response from Rod A. Kusch, Captain, Homicide Bureau of Respondent Sheriff’s Department, stating that the “records requested are exempt from disclosure, based on but not limited to, the following authorities, California Constitution, Article I, Section I; Government Code §§ 6254(c)(f)(k) and 6255, as well as relevant case law.” The response also indicated that Respondent Sheriff’s Department file number concerning Natalie Wood Wagner is apparently “081-00898-1873-496.” A true and correct copy of the response is attached hereto as Exhibit “M” and incorporated herein as if set forth word for word.

10. Further examination of Respondent Medical Examiner-Coroner’s autopsy report for case number 81-15167, revealed that Respondent Sheriff’s Department has two (2) “complaint report numbers,” *i.e.*, 081-08981873479 and 081-08981873496.

11. In response to Respondent Sheriff's Department's correspondence dated July 16, 2015, Petitioner sent correspondence to Respondent Jim McDonnell on July 30, 2015. A true and correct copy of the response is attached hereto as Exhibit "N" and incorporated herein as if set forth word for word. In Petitioner's response, Petitioner dissected the purported exemptions for the denial of his request and further requested that Respondent Sheriff's Department state any other exemptions that were not stated in Captain Kusch's letter dated July 16, 2015. Next, Petitioner pointed out that at least three different sources had referred to interview reports from the department. For example, in her 2001 biography of Natalie Wood entitled *Natasha*, Susanne Finstad quotes from and relies on interview statements and official notes of Detectives Duane Rasure, Detective Roy Hamilton, Robert Wagner, Christopher Walken, Dennis Davern, Paul Reynolds, Ann Laughton, Linda Winkler, Allen Trapp, Christina Quinn, Michelle Mileski, Ted Bauer, Don Whiting, Susan Bernard, Kurt Craig, William Peterson, John Payne, and Bill Coleman; Detective R.W. "Kroll's Complaint Report #81-15167;" "Rasure's "handwritten telephone pad and...notebook in the Natalie Wood file;" and "Sheriff's records of (John) Payne's call to police 11/30/81" (pages 398-441; 506-513); along with the following Author's Note:

Note: The police statements paraphrased or quoted are from Detectives Duane Rasure and Roy Hamilton's official notes and/or the Natalie Wood file in the L.A. Sheriff's Department Archives.

(*Natasha*, page 506)

In addition, Petitioner pointed out that when the case was re-opened in 2011, representatives from the department went to Hawaii to inspect a yacht (which Natalie Wood owned at the time of her death) and apparently performed certain "tests and/or re-creations." While they were there, they voluntarily posed for the *Enquirer* and made comments about their

re-enactment work. See, <http://radaronline.com/photos/natalie-wood-death-new-evidence-photos-yacht-reenactment/photo/1027469>.

As a result, Respondents McDonnell and the Sheriff's Department have waived any applicable CPRA exemptions pursuant to Cal. Gov't Code § 6254.5 by the public disclosure of the Wagner file and the documents requested by Petitioner.

Finally, Petitioner attempted to reason with Respondent Jim McDonnell concerning his CPRA request and detailed why the exemptions quoted were clearly inapplicable, with the possible exception of the "investigatory files" exemption. However, in an effort to deal with the remote possibility that an exemption actually applied to his request, Petitioner proposed a compromise of partial disclosure pursuant to *Northern California Police Practices Project, et al v. Craig, et al*, 90 Cal. App.3d 116 (1979). Petitioner reiterated that he was not interested in "truly privileged material" or in "collecting sensational material for the tabloids." Petitioner also offered to allow Respondent Sheriff's Department to redact information provided by confidential informants (or their identity) and the opinions or conclusions of department officers (including their opinion on who is speaking the truth). In conclusion, Petitioner stated:

Therefore, I am willing to specifically tailor my CPRA request to the following:

1. Crime scene photographs, including photos of the clothed body in the water, the inside and outside of the yacht, the dingy, and any items removed from or found in the yacht. (I am requesting copies of the photos, not photocopies of same).
2. Autopsy photos of any abrasions, scrapes, bruises or scratches on the body. The face (other than any abrasions or scrapes) may be redacted. (I am requesting copies of the photos, not photocopies of same).
3. Any statements of witnesses – either in a report or in a signed form. You may redact any opinions or conclusions of your officers.
4. Reports of any tests, recreations, or experiments conducted by your department or any consultants.

5. Aerial photographs of the scene where the yacht was moored.
6. Copies of any documents or personal property gathered from those interviewed.

An official request was made by Petitioner for the six items referred to above pursuant to the CPRA to comply with the technical aspects of the law.

12. Notwithstanding the offer of compromise, Respondents McDonnell and Sheriff's Department not only ignored the provisions of the CPRA concerning responses by agencies, they ignored, failed, and refused to respond to the last CPRA request. As a consequence, it can only be reasonably concluded, and petitioner alleges, that Respondent Sheriff's Department's claim of exemption is likewise pretextual, baseless and without merit.

CPRA VIOLATIONS

13. Among other provisions of the CPRA, Respondents have violated Cal. Gov't. Code § 6253 which provides, in pertinent part, "except with respect to public records exempt from disclosure by express provisions of law, each state or local agency, upon a request for a copy of records that reasonably describes and identify the record or records, shall make the records promptly available to any person...." Nearly three (3) months have passed since Petitioner made his final request for the information sought in this petition and Respondent McDonnell and Respondent Sheriff's Department have failed to respond as required by law. In addition, Respondent Fajardo and the Medical Examiner-Coroner's Office have violated Cal. Gov't Code § 6253 by unjustifiably refusing to disclose a clearly disclosable document without any legitimate basis.

14. Respondents McDonnell and Sheriff's Department have also violated California Govt. Code § 6253(a) which provides, in pertinent part, that "[a]ny reasonably segregable portion of the record shall be available for inspection by any person requesting the record after

deletion of the portions that are exempted by law.” At a minimum, Respondents should have redacted any matters which they truly believe are exempt as privileged communications or personnel records.

15. Cal. Gov’t Code §§ 6259(a) and (b) authorizes the Court to compel the Respondents to release the requested documents.

THEREFORE, Petitioner requests that:

1. This Court issue a preemptory Writ of Mandate, without a hearing or further notice, immediately directing Respondents Fajardo and the Medical Examiner-Coroner to disclose to Petitioner the Miller Report or, in the alternative, this Court issue an order to Show Cause why the Miller Report should not be disclosed forthwith;

2. This Court issue a Writ of Mandate directing Respondent Sheriff’s Department to disclose the items requested in Exhibits K, L, and N attached hereto; or any reasonably segregable portion of the items requested that the Court determines should have been disclosed; or, in the alternative, this Court issue an order to Show Cause why the requested items contained within the Sheriff’s Department files should not be disclosed forthwith;


3. This Court set forth “times for responsive pleadings and for a hearing in these proceedings...with the object of securing a decision as to these matters at the earliest possible time,” as provided in Cal. Gov’t Code § 6258.

4. This Court enter an Order awarding Petitioner his reasonable attorneys’ fees and costs incurred in bringing this action, pursuant to Cal. Gov’t Code § 6259; and

5. This Court grant such further relief as is just and proper under the law and facts of this case.

DATED: November 5, 2015

Samuel A. Perroni, Petitioner
424 West 4th Street, Suite A
North Little Rock, AR 72114
Telephone (501) 374-2818
Fax: (501) 353-0517
sperroni.perronilaw@gmail.com

By: 
Samuel A. Perroni
Pro Se for Petitioner

VERIFICATION

I, Samuel A. Perroni, declare:

1. I have read the VERIFIED PETITION FOR WRIT OF MANDATE DIRECTED TO THE LOS ANGELES COUNTY DEPARTMENT OF MEDICAL EXMINARE-CORONER AND THE COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT ORDERING COMPLIANCE WITH THE CALIFORNIA PUBLIC RECORDS ACT. The facts stated in the Petition are either true and correct of my own personal knowledge, or, I am informed and believe that such facts are true and correct, and on that basis I allege them to be true and correct.

I declare under penalty of perjury that the foregoing is true and correct and that this verification was executed this 5th day of November, 2015 at North Little Rock, Arkansas.


Samuel A. Perroni

SAMUEL A. PERRONI

March 30, 2015

Public Service Department
Medical Examiner – Coroner's Office
1104 N. Mission Road
Los Angeles, CA 90033

RE: Natalie Wagner
Case No. 81-15167

To Whom It May Concern:

Pursuant to the California Public Records Act (CPRA; Gov. Code § 6250, *et seq.*), I hereby request (in accordance with § 6253(c)) a copy of the consultation report (also referred to as an evaluation report) of Mr. Paul Miller in the above referenced case.

I am enclosing a check for \$25.00 to cover the cost of retrieval (the autopsy report states it was found on microfilm) and copying.

Thank you very much for your attention to this matter.

Very Truly Yours,

Samuel A. Perroni

Enclosure

EXHIBIT

A

Payment Information

Please send a check or money order to the following address, made payable to **LA County Medical Examiner-Coroner**:

**Attn: Public Services- Records Section
LA County Medical Examiner-Coroner
1104 N. Mission Rd., Los Angeles, CA 90033**

◆ *Fill out the payment reference slip on the bottom of this page and include it with your payment* ◆
All questions should be directed to the Records Section Office: (323) 343-0695

Death Certificates

Death Certificates are distinct from Coroner Reports. Our agency does not issue death certificates. Please contact the agencies below if you would like to request a death certificate:

Agencies

If death has occurred within the last 30 days, copies of the Death Certificate may be obtained from:

County of Los Angeles
Department of Health Services
Vital Statistics
313 North Figueroa Street, Room L-1
Los Angeles, Ca 90012
(213) 240-7816

If requesting a certificate more than 30 days from date of death, copies may be obtained from:

County Of Los Angeles
Registrar Recorder
12400 East Imperial Highway
Norwalk, Ca 90650
(800) 201-8999

For information regarding all deaths in the State of California, please contact:

State Of California
Vital Record Statistics Office
304 S Street
Sacramento, Ca 95814
(916) 322-1356

EXHIBIT

B



"Enriching Lives"

COUNTY OF LOS ANGELES

DEPARTMENT OF MEDICAL EXAMINER-CORONER

1104 N. MISSION RD, LOS ANGELES, CALIFORNIA 90033



Mark A. Fajardo, M.D.
Chief Medical Examiner-Coroner

Samuel A. Perroni
[REDACTED]
[REDACTED]

Date: April 3, 2015

RE: Natalie Wagner

Coroner's Case Number: 81-15167

Attn: Samuel A. Perroni

Dear Samuel A. Perroni ,

This Department is in receipt of your letter which requests copies of the Coroner case report for the above-named decedent. The following checked item(s) are applicable to this request:

- ☒ The cost for a Coroner case report is \$26.00. (Certified report is an additional \$1.00)) Please allow one to two weeks for processing.
- ☐ The cost for a Coroner case archived report is _____ (Certified report is an additional \$1.00) Please allow one to two weeks for processing.
- ☐ Our records indicate the above-named decedent is not a Coroner's Case. Please contact our office for further information.
- ☐ This case is not complete and is pending further medical evaluation. Your request will be processed once the cause of death has been established by a pathologist. Please contact our office for further information.
- ☐ This Department does not issue copies of the Certificate of Death. (See reverse page).
- ☐ A private autopsy report is not a public record, therefore, we are unable to process your request. Please contact our office for further information.
- ☐ This case has been placed on security hold. Please contact _____ for further information.
- ☐ Other: _____

Respectfully,

Lev Levon
Chief, Public Services Division


Carmen Manzano

TOTAL AMOUNT DUE: 26.00 (certified report is an additional \$1.00)

SEE REVERSE FOR PAYMENT INSTRUCTIONS AND CONTACT INFORMATION

◆ Payment Reference Slip ◆

Coroner Case#: 81-15167

Name of Decedent: Natalie Wagner

Name of Person Requesting Report: Samuel A. Perrotti

Contact Number: [REDACTED]

Address to Receive Report: [REDACTED]

Certified Report Desired? Yes ☐ (Include \$1.00 additional to your payment) No ☒



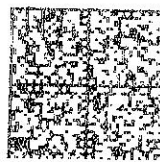
DEPARTMENT OF MEDICAL EXAMINER-CORONER

1104 NO. MISSION RD.
LOS ANGELES, CALIFORNIA 90033

RETURN SERVICE
REQUESTED

M 2

PRESORTED
FIRST CLASS



UNITED STATES POSTAGE
\$00.43
MAILED FROM ZIP CODE 90033

SS CDG-1MB 72704



SAMUEL A. PERRONI

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

May 18, 2015

Public Service Department
Medical Examiner – Coroner's Office
1104 N. Mission Road
Los Angeles, CA 90033

RE: Natalie Wagner
Case No. 81-15167

To Whom It May Concern:

On March 26, 2015, I submitted a California Public Records Act request for copies of the file in this case.

For your ready reference, I am enclosing two items. The first is a copy of my original letter wherein I specifically requested the consult report of Mr. Paul Miller. My request was returned because I was \$1.00 short on the payment enclosed. So, I resent it. The second item I am enclosing is the front page of the Supplemental Report for case number 81-15167 regarding Natalie Wagner, (also known as Wood, Natalie) where I have highlighted that a large group of officials met and reviewed, among other things, a "report of Mr. Paul Miller which had been retrieved from Department of Coroner Microfilm Archives...."

The file material I received did **not** include a copy of Mr. Paul Miller's report. I am sure it was an oversight.

Once again, pursuant to the California Public Records Act (CPRA; Gov. Code § 6250, *et seq.*), specifically § 6253©, I am requesting a copy of the consultation report (also referred to as an evaluation report) of Mr. Paul Miller in the above referenced case as well as any other documents in the Microfilm Archives in this case that has not already been provided. .

I am enclosing a second check for \$26.00 for any costs associated with this request.

Thank you very much for your prompt attention to this matter.

Sincerely,

Samuel A. Perroni

Enclosures

12b

SUPPLEMENTAL REPORT

No. 81-15167

An autopsy was performed on the body of
the DEPARTMENT OF CORONER



Wagner, Natalie
Also Known As:
Wood, Natalie

at Los Angeles, California on November 30, 1981 @ 1330 Hours
(Date) (Time)

From the anatomic findings and pertinent history I ascribe the death to:

(A) Drowning and other undetermined factors
DUE TO OR AS A CONSEQUENCE OF

(B)
DUE TO OR AS A CONSEQUENCE OF

(C)
DUE TO OR AS A CONSEQUENCE OF

(D)
OTHER CONDITIONS CONTRIBUTING BUT NOT RELATED TO THE IMMEDIATE CAUSE OF DEATH:

May 20, 2012

RE-EVALUATION:

Reason for re-evaluation:

The Los Angeles County Sheriff's Department (LASD) had reopened the case in the fall of 2011 and had requested the current Chief Medical Examiner-Coroner to re-evaluate the case. They had interviewed the former Chief Medical Examiner-Coroner Dr. Noguchi, who did the autopsy, and other witnesses. During the interview with the former Chief Medical Examiner-Coroner Dr. Noguchi, they were made aware of a consultation report by one Mr. Paul Miller. The current Chief Medical Examiner-Coroner arranged a meeting with Mr. Paul Miller on January 24, 2012 at request of LASD Detective Lowe. Dr. Noguchi, Detective Hernandez, Detective Rubino, Detective Hecht, Chief Craig Harvey of the Operations Bureau and Mr. Miller attended the meeting. Report of Mr. Paul Miller which had been retrieved from Department of Coroner microfilm archives was authenticated by him during this meeting. A copy was given to both LASD and Mr. Miller. There was another meeting with detectives on March 2, 2012, where the current Chief Medical Examiner-Coroner discussed his evaluation of the case and concern for non-accidental mechanism for certain bruises of the upper extremities. He also opined that there was no evidence of head trauma and that the bruises especially in the upper extremities appeared fresh and could have occurred before she entered the water.

On April of this year the Sheriff's Department asked the current Chief Medical Examiner-Coroner to formalize his findings into the form of a report. The current Chief Medical Examiner-Coroner also met with Dr. Noguchi to discuss the autopsy report and Mr. Miller's report. Documents evaluated by the current

DDW 001

12b**SUPPLEMENTAL REPORT**

No. 81-15167

An autopsy was performed on the body of
the DEPARTMENT OF CORONERWagner, Natalie
Also Known As:
Wood, Natalie

at

Los Angeles, California on November 30, 1981 @ 1330 Hours
(Date) (Time)From the anatomic findings and pertinent history I ascribe the death to:

(A) Drowning and other undetermined factors

DUE TO OR AS A CONSEQUENCE OF

(B)

DUE TO OR AS A CONSEQUENCE OF

(C)

DUE TO OR AS A CONSEQUENCE OF

(D)

OTHER CONDITIONS CONTRIBUTING BUT NOT RELATED TO THE IMMEDIATE CAUSE OF DEATH:

May 20, 2012

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Reason for re-evaluation:

The Los Angeles County Sheriff's Department (LASD) had reopened the case in the fall of 2011 and had requested the current Chief Medical Examiner-Coroner to re-evaluate the case. They had interviewed the former Chief Medical Examiner-Coroner Dr. Noguchi, who did the autopsy, and other witnesses. During the interview with the former Chief Medical Examiner-Coroner Dr. Noguchi, they were made aware of a consultation report by one Mr. Paul Miller. The current Chief Medical Examiner-Coroner arranged a meeting with Mr. Paul Miller on January 24, 2012 at request of LASD Detective Lowe. Dr. Noguchi, Detective Hernandez, Detective Rubino, Detective Hecht, Chief Craig Harvey of the Operations Bureau and Mr. Miller attended the meeting. Report of Mr. Paul Miller which had been retrieved from Department of Coroner microfilm archives was authenticated by him during this meeting. A copy was given to both LASD and Mr. Miller. There was another meeting with detectives on March 2, 2012, where the current Chief Medical Examiner-Coroner discussed his evaluation of the case and concern for non-accidental mechanism for certain bruises of the upper extremities. He also opined that there was no evidence of head trauma and that the bruises especially in the upper extremities appeared fresh and could have occurred before she entered the water.

On April of this year the Sheriff's Department asked the current Chief Medical Examiner-Coroner to formalize his findings into the form of a report. The current Chief Medical Examiner-Coroner also met with Dr. Noguchi to discuss the autopsy report and Mr. Miller's report. Documents evaluated by the current

EXHIBIT

DDW 001

D

Wagner, Natalie
Also Known As:
Wood, Natalie

Page 2

Chief Medical Examiner included: 1). Complete autopsy report from Coroner's case 1981-15167 (Natalie Wood Wagner). This autopsy report included the investigator's reports of Ms. Pamela Eaker, Form 3A listing the medication, evidence record, Form 6 showing the preliminary exam, a typed autopsy report, the neuropathology report, microscopic exam report, toxicology reports and the chemical tests reports on right and left heart blood. 2). Mr. Paul Miller's evaluation. 3). Photographs. 4). Sheriff's department complaint report 081-008981873490 and follow-up supplemental report 081-08981873496. 5). Sheriff's department satellite photo and map of the Isthmus area.

Summary of the Circumstances:

- A) Ms. Wood's body was recovered from the Pacific Ocean on November 29, 1981 and she was pronounced on 0744 hours. After the body was recovered the Sheriff's personnel placed same in a hyperbaric chamber building for safekeeping. When recovered she was dressed in a blue and red plaid flannel nightgown and argyle socks. A red down jacket she was wearing was removed after she was pulled from the water. She had no underclothing. By the time Medical Examiner-Coroner's investigator Ms. Eaker got to the scene and took time of death parameters it was 1330 hours. Rigor mortis was 3 to 4+ at that time. There was lividity in the back that blanched. The environmental temperature at that time was 63°F and liver temperature was 65°F. The surface temperature of the water at that time at 7:44 am was 62-63°F. Ms. Wagner reportedly was found face down floating in the ocean, 200 yards off the Blue Cavern Point, Isthmus area of Catalina Island north of where the dinghy was found near the shoreline. The dinghy, which was located, had the key in the ignition in the off position, the gear was in neutral and the oars were tied down indicating the boat was never used. The decedent Ms. Natalie Wood, her husband, a friend, and the skipper of the Wagner family were spending the weekend at Catalina Island. The main vessel which they were traveling in was called the Splendour and was tied up to the mooring N1 in the Isthmus harbor. The dinghy which was near the shoreline when Ms. Wagner was found is a 13 foot Zodiac boat. It was called the Valiant.
- B) On November 28, 1981 Mrs. Natalie Wood, her husband, a friend and the captain were reportedly at a restaurant. They had been consuming alcohol and were seated for dinner between

DDW 002

Wagner, Natalie
Also Known As:
Wood, Natalie

Page 3

1900 to 1930 hours. The restaurant owner indicated the group left the restaurant to return to the boat at approximately 2200-2230 hours on November 28, 1981. According to the restaurant manager they all appeared intoxicated. He actually called the Harbor Patrol to assure that the decedent's family and decedent reached the Splendour safely.

- C) During the initial interview the husband of the decedent indicated that he, Ms. Wood, the ship's captain and another actor friend were drinking in the main cabin of the boat and they realized that Mrs. Wood was missing and also the Zodiac was missing. This was around 12 midnight.
- D) The restaurant manager indicated that they heard Mrs. Wagner's husband call for help around 0130 hours on November 29, 1981. A search was soon begun with Harbor Patrol, Baywatch, private searchers, L.A. County Sheriff and U.S. Coast Guard. The decedent was identified by the captain of the Splendour at 0830 hours on November 29, 1981.
- E. The captain indicated that they had gone ashore in the afternoon of 11/28/81 to have dinner and were initially at the bar drinking until 7 pm to 8 pm. After dinner they left for the Splendour around 10 pm or 11 pm and continued drinking onboard. The captain indicated that they discovered Ms. Wood the decedent missing only around 12 midnight. They presumed she had gone ashore and back to the bar. At 1:30 am the husband called Isthmus employees to look for Ms. Wood. According to the bartender, who attended to them on November 28, 1981, they continued to drink till 7:30 or 8 pm. They were generally quiet. Neither the victim nor her husband acted drunk but the ship's captain and their friend did appear intoxicated. According to the bartender they left the restaurant at 10:15 pm. All four of them made a toast and broke their wine glasses. He felt they were all pretty shaky. At the restaurant, Ms. Wagner had been dressed in blue designer jeans, a yellow sweater and a red down jacket. She also had jewelry which included a necklace and two or more rings.

The Zodiac dinghy boat involved in the incident was found against the rocks at an area called Blue Cavern Point, 1-1/4 miles northeast of the Isthmus pier where the Splendour was moored. The victim Ms. Wagner was found approximately 200 yards north of the Blue Cavern Point. It appeared that the Zodiac had just drifted to the position where it was found, having never been started. The dress Ms. Wood was wearing was a one piece plaid blue and red nightgown with no underclothing. The autopsy

DDW 003

Wagner, Natalie
Also Known As:
Wood, Natalie

Page 4

was conducted by Dr. Joseph Choi, Deputy Medical Examiner. Other Medical Examiner staff involving the case included Dr. Thomas T. Noguchi, Chief Medical Examiner-Coroner and Dr. Ronald Kornblum, Deputy Medical Examiner. Autopsy was conducted on November 30, 1981 at 1330 hours. Ms. Wagner was 43 years old, weighed approximately 120 pounds and was 64 inches in height. The right forearm showed a 4 inch x 1 inch diffuse bruising on the lateral aspect and few bruises on back of hand. The left wrist showed a slight deformity in the lateral condyle of the ulna and there was also a superficial fresh bruise in this area 1/2 inch in diameter. There were multiple small 1/2 inch to 1 inch fresh bruises in the left anterior lateral thigh. There was a 2 inch recent bruise to the left knee. There were recent bruises to the right upper leg in the area and right ankle. The anterior neck showed a small scratch. There was also superficial abrasion in left forehead, left brow and the left upper cheek area with an upward direction. There was white froth in the nasal oral area. There were recent bruises to the back of the left thigh. A few day old bruises were on the back of the right thigh and knee but there were fresh bruises and scratches to the right posterior leg. There were no petechiae in the conjunctiva of the eyes. The bruises showed no particular pattern. The blood in the chambers of the heart was fluid. The left anterior descending coronary artery showed focal narrowing by 30% with atherosclerotic plaque. The larynx, trachea, and bronchi were filled with large amount of white froth. The right lung weighed 800 grams and the left lung weighed 750 grams. The liver was unremarkable grossly and microscopically. The stomach contained 500 cc of semisolid partially digested food material which could be either chicken or fish-type substance. The small intestine contained 2 pills consistent with vitamin-like substance. There was a smell of alcohol in the stomach contents. The urinary bladder was filled with 300 cc of amber colored urine. The brain showed no injury and was examined by the neuropathologist. Microscopic findings of the brain showed no diagnostic features except for mild to moderate congestion. Microscopic sections of the right forearm, knee and right ankle showed fresh hemorrhage consistent with fresh bruise of superficial nature. Toxicology showed ethanol of 0.14 gms%. Ethchlorvynol and trichlorethanol were not detected. Caffeine was present at a concentration of 0.02mg%. No other neutrals were detected. Cocaine, codeine and morphine were not detected. Phencyclidine was not detected. Barbiturates were not detected. Freon 11 and 12, methane, butane, propane, hexane, and toluene were all not detected in

DDW 004

Wagner, Natalie
Also Known As:
Wood, Natalie

Page 5

the head space study. The magnesium in the right heart serum was 11.7 mg/dL and chloride in the right heart was 106 mEq/L. Specific gravity in serum of right heart autopsy specimen 1.0063 gm/mL. Propoxyphene was present at 0.07 mg% and cyclizine was present at 0.045 mg%. Phenothiazines were not detected. A sexual assault kit was collected at the Forensic Science Center by Mr. Njavro. Also hair samples were collected from head and arm areas. Dr. Noguchi collected nasal swabs during the postmortem exam. The specific gravity of the left heart serum was 1.040 gm/dL. The magnesium in the left heart blood was 22.5 mg/dL and chloride was 154 mEq/L.

Based on the autopsy findings, chemical tests result of high magnesium and chloride on the left heart compared to the right heart, the cause of death was established as drowning. Time of death was established to be around midnight of November 28, 1981. Case was closed as accidental drowning by Drs. Noguchi, Kornblum and Choi.

Discussion and opinion by the current Chief Medical Examiner-Coroner.

The autopsy findings, results of the chemical tests done on the right and left heart blood are all supportive of drowning. The only evidence available for review at this time was the histopathological slides taken during the autopsy of the bruises and liver and the neuropathology slides. Five items of evidence were collected and placed into the Department of Coroner evidence unit on November 30, 1981.

- A. An EDTA tube of blood was received at 1525 hours.
- B. Blood swatch was received at 1525 hours.
- C. Modified sexual assault kit was received at 1445 hours.
- D. Hair kit was received at 1445 hours.
- E. Pubic hair kit was received at 1445 hours.

Ms. Sandberg, Acting Supervising Criminalist provided a detailed memorandum to Chief Medical Examiner-Coroner/Interim Director on the status and evidence disposition, which will be an attachment to this report. However, medical evidence envelope containing prescription drugs belonging to the case was found (see form 3A in the autopsy report). This was released to the Sheriff's Department.

DDW 005

Wagner, Natalie
Also Known As:
Wood, Natalie

Page 6

There are conflicting statements as to when the decedent went missing from the boat and whether there were verbal arguments between the decedent and her husband. It was clear from the restaurant manager's statement that the call about her missing from the Splendour came only at 1:30 am on November 29, 1981. The fact that her stomach contained 500 cc of partially digested food material supports the opinion of the time of death being around midnight, especially given the information that dinner was consumed between 8 and 9 pm on November 28, 1981. With the presence of fresh bruises in the upper extremities in the right forearm/left wrist area and a small scratch in the anterior neck, this Examiner is unable to exclude non-accidental mechanism causing these injuries. The Zodiac dinghy was not available for Sheriff's detectives for evaluation when they went to examine the Splendour with the new owner. The original theory of Mr. Miller that there were scratches on the starboard side of the dinghy could not be evaluated further, as no nail clipping was collected during the original autopsy examination. So this theory cannot be verified. Based on (a) the fact that she was wearing a blue and red plaid flannel nightgown, down jacket, socks with no underclothing, but had jewelry (ring/bracelet right hand, 3 rings on left hand and a chain around her waist), (b) the intoxicated state, (c) lack of any life jacket, (d) dinghy having never been used, (e) her bladder still containing 300 cc of urine, (f) lack of history of any suicidal ideation or note, (g) the time of incident (around midnight) in darkness, this Medical Examiner is unable to exclude non-volitional, unplanned entry into the water. Also, given the temperature of the water and the time of death opined in autopsy report, it looks as though that Ms. Wood drowned within a short time of her entry into the water. The location of the bruises, the multiplicity of the bruises, lack of head trauma, or facial bruising support bruising having occurred prior to the entry into the water. Since there are many unanswered questions and limited additional evidence available for evaluation, it is opined by this Medical Examiner that the manner of death should be left as undetermined. The case was discussed with the former Chief Medical Examiner-Coroner Dr. Noguchi. Both Dr. Kornblum and Dr. Choi, who are the other Medical Examiners who handled the case, are deceased. The case could not be discussed with them.

DDW 006

12_b

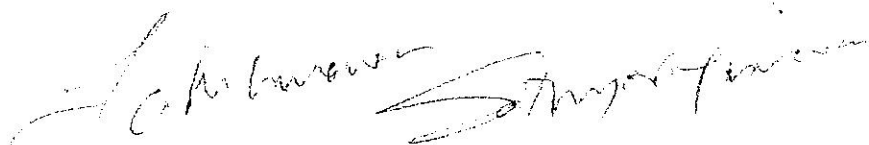
SUPPLEMENTAL REPORT

No. 81-15167

Wagner, Natalie
Also Known As:
Wood, Natalie

Page 7

The cause of death will be changed to drowning and other undetermined factors. Manner will be changed to undetermined. How injury occurred will be listed as found floating in ocean. Circumstances not clearly established.



LAKSHMANAN SATHYAVAGISWARAN, M.D., FRCP(C), FCAP, FACP
CHIEF MEDICAL EXAMINER-CORONER/INTERIM DIRECTOR

6-15-2012

DATE

LS:mtm/C
T-05/29/12

DDW 007

12**AUTOPSY REPORT**

No. 81-15167

WAGNER, NATALIE

ALSO KNOWN AS:

WOOD, NATALIE

I performed an autopsy on the body of

at the DEPARTMENT OF CHIEF MEDICAL EXAMINER-CORONER

Los Angeles, California on NOVEMBER 30, 1981 @ 1330 Hours

(Date)

(Time)

From the anatomic findings and pertinent history I ascribe the death to:

(A) DROWNING

DUE TO OR AS A CONSEQUENCE OF:

(B)

DUE TO OR AS A CONSEQUENCE OF:

(C)

OTHER SIGNIFICANT CONDITIONS:

Anatomical Summary:

1. Drowning.
2. Superficial skin bruises on the extremities and abrasions on the left side of the face.

EXHIBIT**E**

DDW 040

SAMUEL A. PERRONI, P.A.
424 West 4th Street, Suite A
North Little Rock, AR 72114
(501) 374-2818

Samuel A. Perroni, Esq.
sperroni.perronilaw@gmail.com

Summer L. Pruett, Assistant
summer.perronilaw@gmail.com

June 15, 2015

Public Service Department
Medical Examiner – Coroner's Office
1104 N. Mission Road
Los Angeles, CA 90033

RE: Natalie Wagner
Case No. 81-15167

To Whom It May Concern:

This is my fourth attempt at securing information under the California Public Records Act.

To begin with, I appreciate the effort that has been made to date to locate what I originally asked for. The material I received on or about May 26, 2015 was obviously copies made from microfilm documents. Interestingly, those documents contained pages that were not in the original supplemental autopsy report (and original autopsy report) that I was provided after my first request.

Once again, **I am requesting the consult report of Mr. Paul Miller.** Again, I am enclosing the front page of the Supplemental Report for Case No. 81-15167 regarding Natalie Wagner (also known as Wood, Natalie) wherein I have highlighted that a large group of officials met and reviewed, among other things, a "report of Mr. Paul Miller which had been retrieved from Department of Coroner microfilm archives...."

The microfilm material I received did not include a copy of Mr. Paul Miller's report. Therefore, the report must either be in another file or located somewhere else in the microfilm archives.

Pursuant to the California Public Records Act (CPRA; Gov. Code § 6250, *et seq.*), specifically § 6253(c), I am requesting a copy of the consultation report (also referred to as an evaluation report) of Mr. Paul Miller in the above referenced case as well as any other documents in the microfilm archives in this case that have not already been provided.

I am enclosing a third check for \$26.00 for any costs associated with this request.

Sincerely,

Samuel A. Perroni D/SLP
Samuel A. Perroni

Enclosures

SAMUEL A. PERRONI
[Redacted]

15 June 2015 Date

3778
81-151670
268

Pay to the Order of Medical Examiner - Coroner's Office \$ 26.00
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For CAPRA Request Case 81-15167
[Redacted]

Premier Client Services
Samuel A. Perroni
[Redacted]

Human Resources

12b

SUPPLEMENTAL REPORT

No. 81-15167

An autopsy was performed on the body of
the DEPARTMENT OF CORONER

Wagner, Natalie
Also Known As:
Wood, Natalie

at
Los Angeles, California

on November 30, 1981 @ 1330 Hours
(Date) (Time)

From the anatomic findings and pertinent history I ascribe the death to:

(A) Drowning and other undetermined factors
DUE TO OR AS A CONSEQUENCE OF

(B)
DUE TO OR AS A CONSEQUENCE OF

(C)
DUE TO OR AS A CONSEQUENCE OF

(D)
OTHER CONDITIONS CONTRIBUTING BUT NOT RELATED TO THE IMMEDIATE CAUSE OF DEATH:

May 20, 2012

RE-EVALUATION:

Reason for re-evaluation:

The Los Angeles County Sheriff's Department (LASD) had reopened the case in the (fall of 2011) and had requested the current Chief Medical Examiner-Coroner to re-evaluate the case. They had interviewed the former Chief Medical Examiner-Coroner Dr. Noguchi, who did the autopsy, and other witnesses. During the interview with the former Chief Medical Examiner-Coroner Dr. Noguchi, they were made aware of a consultation report by one Mr. Paul Miller. The current Chief Medical Examiner-Coroner arranged a meeting with Mr. Paul Miller on January 24, 2012 at request of LASD Detective Lowe. Dr. Noguchi, Detective Hernandez, Detective Rubino, Detective Hecht, Chief Craig Harvey of the Operations Bureau and Mr. Miller attended the meeting. Report of Mr. Paul Miller which had been retrieved from Department of Coroner microfilm archives was authenticated by him during this meeting. A copy was given to both LASD and Mr. Miller. There was another meeting with detectives on March 2, 2012, where the current Chief Medical Examiner-Coroner discussed his evaluation of the case and concern for non-accidental mechanism for certain bruises of the upper extremities. He also opined that there was no evidence of head trauma and that the bruises especially in the upper extremities appeared fresh and could have occurred before she entered the water.

On April of this year the Sheriff's Department asked the current Chief Medical Examiner-Coroner to formalize his findings into the form of a report. The current Chief Medical Examiner-Coroner also met with Dr. Noguchi to discuss the autopsy report and Mr. Miller's report. Documents evaluated by the current

001

SAMUEL A. PERRONI, P.A.

424 West 4th Street, Suite A
North Little Rock, AR 72114
(501) 374-2818

Samuel A. Perroni, Esq.
sperroni.perronilaw@gmail.com

Summer L. Pruett, Assistant
summer.perronilaw@gmail.com

July 30, 2015

Mark A. Fajardo, M.D.
CHIEF MEDICAL EXAMINER-CORONER
1104 N. Mission Road
Los Angeles, CA 90033

RE: Natalie Wood Wagner
Case No. 81-15167

Dear Dr. Fajardo:

I sincerely regret having to trouble you with this matter.

This is my fourth attempt to secure information under the California Public Records Act. I am attaching copies of my letters dated March 30, 2015, May 18, 2015 and June 15, 2015.

While I have received some documents (some which were obviously copies from microfilm), I still have not received the document I originally requested, *i.e.*, the consult/evaluation report of Mr. Paul Miller.

For your ready reference, I am enclosing the front page of the supplemental report for case number 81-15167 regarding Natalie Wagner (also known as Natalie Wood) wherein it was discussed that a large group of officials met and reviewed, among other things, a "report of Mr. Paul Miller which had been retrieved from Department of Coroner microfilm archives...." In addition, I am attaching a page of the Supplemental Report wherein Dr. Sathyavagiswaran stated that he evaluated, among other things, "Mr. Paul Miller's evaluation."

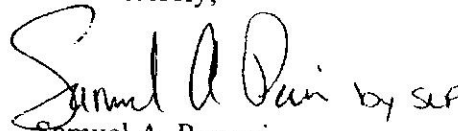
For the fourth time, I am requesting the consult/evaluation report of Mr. Paul Miller.

In order to be technically correct with the requirements of your office, I am including another check for \$26.00 for any costs associated with this request.

Dr. Fajardo, we haven't had the privilege of meeting and I always want to give people the benefit of the doubt. The report I am requesting has been provided to others outside law enforcement. So, there is no reason for treating my requests with studied neglect. I am very hopeful that you will see the equities in that and instruct the appropriate people to handle my request according to

the law. However, if I don't receive some cooperation and what I am entitled to I will have no choice but to take this to a judge.

Sincerely,


Samuel A. Perroni

Enclosures

cc (without enclosures): Public Service Department
 Medical Examiner – Coroner's Office
 1104 N. Mission Road
 Los Angeles, CA 90033

SAMUELA PERRONI

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Order of

Medical Examiner - Coroner's Office

30 July 2015

Date

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For CAPRA Request Case 81-15167

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Samuel A Perroni
BancorpSouth Services

Nothing Changes

12b

SUPPLEMENTAL REPORT

No. 81-15167

An autopsy was performed on the body of
the DEPARTMENT OF CORONER



Wagner, Natalie
Also Known As:
Wood, Natalie

at Los Angeles, California on November 30, 1981 @ 1330 Hours
(Date) (Time)

From the anatomic findings and pertinent history I ascribe the death to:

(A) Drowning and other undetermined factors
DUE TO OR AS A CONSEQUENCE OF

(B)
DUE TO OR AS A CONSEQUENCE OF

(C)
DUE TO OR AS A CONSEQUENCE OF

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DDW 001

Wagner, Natalie
Also Known As:
Wood, Natalie

Page 2

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- B) On November 28, 1981 Mrs. Natalie Wood, her husband, a friend and the captain were reportedly at a restaurant. They had been consuming alcohol and were seated for dinner between

DDW 002



COUNTY OF LOS ANGELES
DEPARTMENT OF MEDICAL EXAMINER-CORONER
1104 N. MISSION RD. LOS ANGELES, CALIFORNIA 90033



Mark A. Fajardo, M.D.
Chief Medical Examiner-Coroner

August 5, 2015

Samuel A. Perroni, P.A.
424 West 4th Street, Suite A
North Little Rock, AR 72114

RE: Natalie Wood Wagner
Case No. 81-15167

Mr. Samuel A. Perroni:

This is in response to your letter received on August 1, 2015, requesting the "consult/evaluation report of Mr. Paul Miller" from Coroner's case No. 81-15167.

Pursuant to the CA Public Records Act, the disclosable records include autopsy reports, toxicology, reports, and Coroner investigator narratives. The "consult/evaluation report" of Mr. Paul Miller is not public record and was not generated by this Department, and, therefore, not disclosable by this Department. Additionally, any information considered from Mr. Paul Miller's original evaluation for the re-evaluation of the Coroner's report has been incorporated in the disclosable supplemental autopsy report completed on May 20th, 2012.

We apologize for the inconvenience you experienced submitting your request. You will be receiving a refund in the mail for check # 3767 for \$26.00 and for check # 3778 for \$26.00. Your unprocessed check # 3787 for \$26.00 is included with this letter.

If you have any questions, you may contact me at (323) 343-0560 or via e-mail at llevon@coroner.lacounty.gov.

Sincerely,

Lev Levon
Chief, Public Services
County of Los Angeles
Department of Medical Examiner-Coroner

Accreditations:

National Association of Medical Examiner American Society of Crime Laboratory Directors/LAB-International
California Medical Association-Continuing Medical Education Peace Officer Standards and Training Certified Accreditation Council for
Graduate Medical Education

Law and Science Serving the Community

EXHIBIT

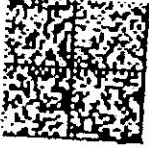
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LOS ANGELES, CALIFORNIA 90033

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SAMUEL A. MERRONI

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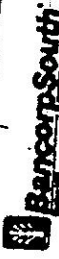
31 MAR 2015

30 July 2015

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For CAPRA Request Case 81-15167

Samuel A. Merroni
Samuel A. Merroni

United States

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From: **Summer Pruett** (summer.perronilaw@gmail.com)

Sent: Thu 8/13/15 1:08 PM

To: llevon@coroner.lacounty.gov

Cc: Samuel A. Perroni [REDACTED]

1 attachment

ltr to levon.081315.pdf (371.5 KB)

Please see attached letter from Samuel A. Perroni.

Thank you,

--

Summer Pruett

Samuel A. Perroni, P.A.

424 W. 4th Street, Suite A

North Little Rock, AR 72114

Tel: (501) 374-2818

Fax: (501) 353-0517

EXHIBIT

I

SAMUEL A. PERRONI, P.A.

424 West 4th Street, Suite A
North Little Rock, AR 72114
(501) 374-2818

Samuel A. Perroni, Esq.
sperroni.perronilaw@gmail.com

Summer L. Pruett, Assistant
summer.perronilaw@gmail.com

August 13, 2015

VIA ELECTRONIC MAIL TO llevon@coroner.lacounty.gov

Mr. Lev Levon
Chief, Public Services
County of Los Angeles
Department of Medical Examiner – Coroner
1104 North Mission Road
Los Angeles, CA 90033

RE: Natalie Wood Wagner
Cased No. 81-15167

Dear Mr. Levon:

Thank you for your letter of August 5, 2015.

I am not sure I understand your position, but I would nevertheless like to make an attempt to reason with you on this CPRA request.

First, all records in your possession are public records and the report is in the Coroner's possession. See, CPRA § 6253(a). The only issue is whether it is exempt under the CPRA. *California State University v. Superior Court*, 90 Cal.App. 4th 810, 108 Cal.Rptr. 2d 870 (2001).

Secondly, Mr. Miller's report was created at the request of Dr. Noguchi, the Medical Examiner – Coroner, since Mr. Miller was an office deputy and ocean accident consultant of the Medical Examiner-Coroner's office. See, pages 16, 25, and 34 of Dr. Noguchi's book, *Coroner* ("...a deputy on staff...;" "...consultant on ocean accidents..." and "our expert...").

Thirdly, under the CPRA, you are required to specifically state which exemption you are relying upon to deny my request. See, CPRA § 6253(c) ("...and the reasons therefor.").

Finally, Mr. Miller's report was used by Dr. Noguchi to make his findings of accidental death 34 years ago. Thereafter, in addition to Dr. Noguchi, no less than three authors have referred to it in

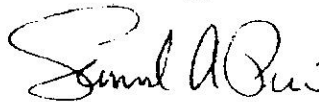
books and magazines over the years. See, Gavin Lambert's *Natalie Wood, A Life* (2004) (page 314); Suzanne Finstad's *Natasha* (2001) (page 439); Sam Kasner's Vanity Fair article, *Natalie's Final Voyage* (2000) (page 28, Scott Carrier, information officer of your office at the time, "Everything that was in Natalie Wood's file was sent to you.") As a consequence, any legitimate claim of exemption, assuming one existed, has been waived by this public disclosure. See, CPRA § 6254.5.

I would really appreciate it if we could resolve this short of litigation. Your office has no basis for denying my request and I sincerely believe that you cannot justify your denial under the law. Since Dr. Noguchi ruled Ms. Wagner's death an accident after Mr. Miller's report was prepared, you would be hard pressed to sustain your burden of proving "...a concrete and definite prospect of criminal law enforcement proceedings" for a report used to prepare an accidental death autopsy report that has been made public. *Dixon v. Superior Court*, 170 Cal.App. 4th 1271, 88 Cal.Rptr. 3d 847 (2009); § 6254.5, *supra*.

While I owe no explanation for seeking the report, I can state it is for my own research. Therefore, I respectfully request that you reconsider your position.

To ensure that I am meeting the formal requirements of the CPRA, I am again requesting, pursuant to the CPRA, a copy of the report prepared by Mr. Paul Miller as previously requested in my letters of March 30, 2015, May 18, 2015, June 15, 2015, and July 30, 2015. Because you returned my checks after the initial request, I trust my first check will cover the fee. If not, let me know and I will send another \$26.00.

Sincerely,



Samuel A. Perroni

cc: Mark A. Fajardo, M.D. (via U.S. Mail)



COUNTY OF LOS ANGELES

DEPARTMENT OF MEDICAL EXAMINER-CORONER

1104 N. MISSION RD. LOS ANGELES, CALIFORNIA 90033



Mark A. Fajardo, M.D.
Chief Medical Examiner-Coroner

August 24, 2015

Samuel A. Perroni, P.A.
424 West 4th Street, Suite A
North Little Rock, Arkansas 72114

Re: Wagner, Natalie (Coroner Case No.: 1981-15167)

Dear Mr. Perroni:

This is in response to your various letters to the Department of Medical Examiner-Coroner (DME-C), the most recent 3 dated June 15, 2015, July 30, 2015, and August 13, 2015. Your letters request, pursuant to the California Public Records Act (CPRA), disclosure of a copy of the consult report authored by Mr. Paul Miller, who was employed by the County of Los Angeles in 1981 at the time of Ms. Wagner's death as a deputy medical examiner. Although, the existence of Dr. Miller's consult report was mentioned in the DME-C's May 20, 2012 Supplemental Report, the DME-C has no record of the Miller consult report having ever been released publicly.

As you know, in the fall of 2011, the Los Angeles County Sheriff's Department reopened its investigation into the Wagner case, and requested the Chief Medical Examiner-Coroner to re-evaluate the case. In May 2012, the DME-C publicly released its Supplemental Report which ascribed the death to be due to "drowning and other undetermined factors." Thus, the DME-C has publicly disclosed both the original autopsy report and Supplemental Report in conformance with California law. However, investigation records in the possession of the Coroner are exempt from public disclosure. Moreover, the Sheriff's Department has notified our office that its investigation in this matter is ongoing. The Miller consult report is not subject to public disclosure under the following provisions of law:

1. Records of an investigation conducted or compiled by a local law enforcement agency for law enforcement purposes. (Government Code § 6254; subd. (f).);
2. Records protected by federal and State law, including but not limited to, provisions of the Evidence Code relating to privilege and common law privilege. (Government Code § 6254; subd. (k).)
3. Records where the facts of the particular case dictate that the public interest served by not disclosing the record clearly outweigh the public interest served by disclosure of the record. (Government Code § 6255; subd. (a).)

Sincerely,

Mark A. Fajardo, M.D.
Chief Medical Examiner-Coroner

Accreditations:

*National Association of Medical Examiners American Society of Crime Laboratory Directors-LAB-International
California Medical Association-Continuing Medical Education Peace Officer Standards and Training Certified Accreditation Council for
Graduate Medical Education*

Law and Science Serving the Community

EXHIBIT
J

SAMUEL A. PERRONI

May 19, 2015

PUBLIC INFORMATION OFFICE
Los Angeles Sheriff's Office
Kenneth Hahn Hall, Administration
500 W. Temple Street, Room 358
Los Angeles, CA 90012

RE: Wagner, Natalie (also known as "Wood, Natalie")
Case No. 81-15167

To Whom It May Concern:

Pursuant to the California Public Records Act (CPRA; Gov. Code § 6250, *et seq.*), I am hereby requesting a copy of the Los Angeles County Sheriff's Department file pertaining to the investigation of the death of Natalie Wood Wagner. My request includes any and all interview memorandums, signed statements, documents, photographs and any other file materials relating to the investigation in your possession or control.

I am enclosing a check for \$100.00 to cover the cost of production. If the enclosed sum is not adequate to cover the costs, please let me know and I will send the balance.

Thank you very much for your prompt attention to this matter.

Sincerely,

Samuel A. Perroni

Enclosure

cc (without enclosure):

Assistant Sherriff Todd Rogers
Administrative & Technology Services
Los Angeles County Sherriff's Department
4700 Ramona Blvd
Monterey Park, CA 91754

SAMUEL A. PERRONI, P.A.

424 West 4th Street, Suite A
North Little Rock, AR 72114
(501) 374-2818

Samuel A. Perroni, Esq.
sperroni.perronilaw@gmail.com

Summer L. Pruett, Assistant
summer.perronilaw@gmail.com

July 2, 2015

PUBLIC INFORMATION OFFICE
Kenneth Hahn Hall of Administration
500 W. Temple Street, Room 358
Los Angeles, CA 90012

RE: Wagner, Natalie (also known as "Wood, Natalie")
Case No. 81-15167

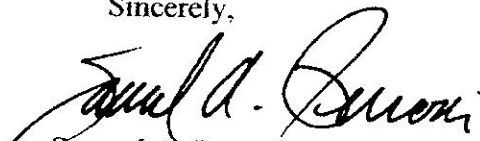
To Whom It May Concern:

Nearly a month ago I made an FOI request. I am attaching a copy of my request for your ready reference.

I am sure it is an oversight, but under your Freedom of Information Act law, I was to receive a reply within ten (10) days of my request or an explanation why it was not possible to reply in that time frame.

I would appreciate your prompt attention to this matter.

Sincerely,



Samuel A. Perroni

Enclosure

cc : Assistant Sherriff Todd Rogers
Administrative & Technology Services
Los Angeles County Sherriff's Department
4700 Ramona Blvd
Monterey Park, CA 91754



County of Los Angeles
Sheriff's Department Headquarters

4700 Ramona Boulevard
Monterey Park, California 91754-2169



July 16, 2015

081-00898-1873-496

Mr. Samuel A. Perroni
424 West 4th Street, Suite A
North Little Rock, Arkansas 72114

Dear Mr. Perroni:

This letter is in response to your request for records dated July 2, 2015, under the California Public Records Act and received by the Los Angeles County Sheriff's Homicide Bureau on July 8, 2015.

In your request you are seeking the following:

- "...a copy of the Los Angeles County Sheriff's Department file pertaining to the investigation of the death of Natalie Wood Wagner."

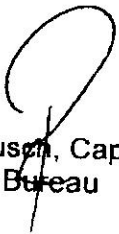
Response: The records requested are exempt from disclosure, based on, but not limited to, the following authorities: California Constitution, Article 1, Section 1; Government Code §§6254 (c)(f)(k) and 6255, as well as relevant case law.

Therefore, the records requested cannot be provided to you based on the foregoing authority.

If you have any questions, please contact Lieutenant Dave Dolson of Homicide Bureau at (323) 890-5514.

Sincerely,

JIM McDONNELL, SHERIFF


Rod A. Kusan, Captain
Homicide Bureau

A Tradition of Service Since 1850

EXHIBIT

M

SAMUEL A. PERRONI, P.A.

424 West 4th Street, Suite A
North Little Rock, AR 72114
(501) 374-2818

Samuel A. Perroni, Esq.
sperroni.perronilaw@gmail.com

Summer L. Pruett, Assistant
summer.perronilaw@gmail.com

July 30, 2015

Sheriff Jim McDonnell
Sheriff's Headquarters Bureau
4700 Ramona Blvd.
Monterey Park, CA 91754-2169

RE: CPRA Natalie Wood file records request, including those in Complaint Report Numbers 081-008981873479 and 081-08981873496 (Coroner's Case No. 81-15167)

Dear Sheriff McDonnell:

On May 19, 2015, I made a California Public Records Act request to your Public Information Office. I am attaching a copy of that request for your ready reference.

On July 2, 2015, I sent a follow-up request when I heard nothing from your Public Information Office. I am attaching a copy of that request for your ready reference.

Finally, I am attaching a copy of a letter from Captain Kusch dated July 16, 2015 received by me on July 27, 2015 which is a denial of my CPRA request. The reasons for the denial, according to Captain Kusch, who I am sure is a fine officer, are stated to be that the records are exempt from disclosure based on, "but not limited to... California Constitution, Article I, Section 1; Government Code §§ 6254 (c)(f)(k) and 6255, as well as relevant case law."

To begin with, if there are other reasons not stated, I am entitled to know them because this letter is an attempt to try to reason with you and the Department before this matter escalates.

Next, I would like to share with you a little bit about my background. I began my legal career as an Assistant United States Attorney. I prosecuted cases for nearly six years before becoming a white collar criminal defense attorney – a profession I practiced for 30 years before my retirement. During my 36 years of active practice, I successfully prosecuted and defended several FOI (your CPRA) cases, including a criminal case while I was an AUSA. I understand the exemptions and burdens an agency/department has to sustain them. I also understand the ramifications of CPRA litigation, both practically and politically.

In case you are not aware of this, at least three different sources have interview reports from your department. They were first referenced in a Vanity Fair article written by Sam Kasner in 2000;

then they were referred to in Gavin Lambert's book (*Natalie Wood, a Life*) in 2005. Finally, they were referred to Marti Rulli's book about Dennis Davern (*Goodbye Natalie, Goodbye Splendour*) in 2009. There are probably others, like Detective Rasure, who also have them and have referred to them publicly. So, either interview reports have been leaked or voluntarily provided to others by your department over the years. Furthermore, when the case was "re-opened" a team from your department went with Davern to Hawaii to inspect the Splendour and perform certain tests and/or recreations. While they were there, they voluntarily posed for The Enquirer and made comments about their reenactment work. (See, <http://radaronline.com/photos/natalie-wood-death-new-evidence-photos-yacht-reenactment/photo/1027469>).

It has now been 34 years since Natalie Wood's death and four years since Ms. Rulli and Davern came forth with new information. Along the way, your department has publicly stated multiple times that the only living persons on the yacht when Natalie Wood went missing were not suspects in a criminal investigation. In addition, your file was closed in 1981 with the conclusion of accident. Even the autopsy report investigator says "foul play is not suspected at this time." So, unless the Department has (since 2009) developed some unknown person you believe committed murder (because the statute of limitations on all other homicide crimes has expired), it is difficult for me to see how you are going to sustain your burden of establishing by substantial evidence "a suspected homicide death – in which there is a concrete and definite prospect of criminal law enforcement proceedings." See, *Dixon v. Superior Court of El Dorado County, et al*, 170 Cal. App. 4th 1271 (2009). Furthermore, you would also have to publicly claim that a murder occurred and was being investigated.

As far as the exemptions quoted by Captain Kusch, *i.e.*, §§ 6254 (c), (f) and (k) and California Constitution, Article I, Section 1, the only exemption that is remotely applicable is §6254(f) – the "investigatory files" exemption. There has been no request for personnel files. There has been no request for medical files. Natalie Wood's autopsy report is available online and nothing privileged under the Evidence Code was requested. Finally, the Department has no constitutional rights. Those rights are reserved for "people."

But, to deal with the remote possibility that an exemption really applies to part of my request (keeping in mind that there are two Sheriff's Department complaint numbers), I am proposing a compromise of partial disclosure. See, *Northern California Police Practices Project, et al v. Craig, et al*, 90 Cal. App. 3d 116 (1979). I am not interested in truly privileged material or in collecting sensational material for the tabloids. For example, I am not interested in facial or full body autopsy photographs of Mrs. Wagner. I am also not interested in material provided by confidential informants or in their identity or in the opinions or conclusions of your officers (including their opinion on who is speaking the truth). I will trust you to redact that material.

Therefore, I am willing to specifically tailor my CPRA request to the following:

1. Crime scene photographs, including photos of the clothed body in the water, the inside and outside of the yacht, the dingy, and any items removed from or found in the yacht. (I am requesting copies of the photos, not photocopies of same).

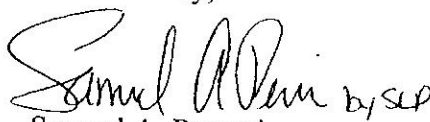
2. Autopsy photos of any abrasions, scrapes, bruises or scratches on the body. The face (other than any abrasions or scrapes) may be redacted. (I am requesting copies of the photos, not photocopies of same).
3. Any statements of witnesses – either in a report or in a signed form. You may redact any opinions or conclusions of your officers.
4. Reports of any tests, recreations, or experiments conducted by your department or any consultants.
5. Aerial photographs of the scene where the yacht was moored.
6. Copies of any documents or personal property gathered from those interviewed.

To make it official, pursuant to the California Public Records Act (CPRA; Gov. Code § 6250, *et seq.*), I am hereby requesting disclosure of the six items listed above.

In my May 19, 2015 letter I enclosed a check for \$100 to cover the cost of production. In checking, we have determined that the check has not been cashed. As a result, you are holding \$100 to cover the cost of production and if that enclosed sum is not adequate to cover the costs, please let me know and I will send the balance.

Thank you very much for your prompt and sincere attention to this matter.

Sincerely,


Samuel A. Perroni

Enclosure

cc (without enclosures):

Assistant Sheriff Todd Rogers
Administrative & Technology Services
Los Angeles County Sheriff's Department
4700 Ramona Blvd
Monterey Park, CA 91754

Public Information Office
Kenneth Hahn Hall of Administration
500 W. Temple Street, Room 358
Los Angeles, CA 90012

Captain Rod A. Kusch
Los Angeles County Sheriff's Department
4700 Ramona Blvd.
Monterey Park, CA 91754

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece or on the front if space permits.

1. Article Addressed to:

Sheriff Jim McDonnell
Sheriff's Headquarters Bureau
4700 Ramona Blvd.
Monterey Park CA 91754-2169

2. Article Number

(Transfer from service label)

7014 2120 0003 3902 6138

PS Form 3811, July 2013

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☒ Addressee

B. Received by (Printed Name)

Stano Mendra

C. Date of Delivery

8/4/15

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail®☐ Priority Mail Express™☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee)

☐ Yes

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Samuel A. Perroni (AR Bar No. 74119) SAMUEL A. PERRONI, P.A. 424 West 4th Street, Suite A North Little Rock, AR 72114 TELEPHONE NO.: 501-374-2818 FAX NO.: 501-353-0517 ATTORNEY FOR (Name): Petitioner Samuel A. Perroni		FOR COURT USE ONLY <div style="text-align: center;"> CONFORMED COPY ORIGINAL FILED Superior Court of California County of Los Angeles </div> <div style="text-align: center; margin-top: 10px;"> NOV 10 2015 </div> <div style="text-align: center; margin-top: 10px;"> Sherri R. Carter, Executive Officer/Clerk By Amirah Hendrickson, Deputy </div>	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Central District			
CASE NAME: Perroni v. Fajardo, et al			
CIVIL CASE COVER SHEET <input type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input checked="" type="checkbox"/> Limited (Amount demanded is \$25,000 or less)		Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	
CASE NUMBER:		JUDGE: BS159430 DEPT:	

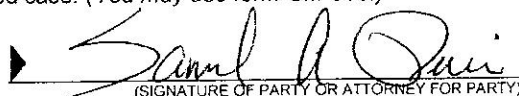
Items 1–6 below must be completed (see instructions on page 2).

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

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <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) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <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) Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input checked="" type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403) <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"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties
b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
c. <input type="checkbox"/> Substantial amount of documentary evidence | d. <input type="checkbox"/> Large number of witnesses
e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
f. <input type="checkbox"/> 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): Two CPRA Counts
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: Nov. 5, 2015 Samuel A. Perroni
 (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 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

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.

Item I. Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? YES CLASS ACTION? YES LIMITED CASE? ☒ YES TIME ESTIMATED FOR TRIAL 1-2 HOURS/☒ DAYS

Item II. Indicate the correct district and courthouse location (4 steps – If you checked “Limited Case”, skip to Item III, Pg. 4):

Step 1: After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column **A**, the Civil Case Cover Sheet case type you selected.

Step 2: Check one Superior Court type of action in Column **B** below which best describes the nature of this case.

Step 3: In Column **C**, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.3.

Applicable Reasons for Choosing Courthouse Location (see Column C below)

- | | |
|---|---|
| 1. Class actions must be filed in the Stanley Mosk Courthouse, central district.
2. May be filed in central (other county, or no bodily injury/property damage).
3. Location where cause of action arose.
4. Location where bodily injury, death or damage occurred.
5. Location where performance required or defendant resides. | 6. Location of property or permanently garaged vehicle.
7. Location where petitioner resides.
8. Location wherein defendant/respondent functions wholly.
9. Location where one or more of the parties reside.
10. Location of Labor Commissioner Office
11. Mandatory Filing Location (Hub Case) |
|---|---|

Step 4: Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Other Personal Injury/Property Damage/Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2. 2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4. 1., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) <input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4. 1., 4. 1., 3. 1., 4.

SHORT TITLE: Perroni v. Fajardo, et al	CASE NUMBER
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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Non-Personal Injury/ Property Damage/ Wrongful Death Tort	Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.
	Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.
	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.
	Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.
	Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.
	Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.
Employment	Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
	Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1., 2., 3. 10.
Contract	Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.
	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case <input type="checkbox"/> A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt Purchased on or after January 1, 2014)	2., 5., 6, 11 2., 5, 11 5, 6, 11
	Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
	Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8.
	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels_____	2.
	Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
Real Property	Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6. 2., 6. 2., 6.
	Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
	Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer	Unlawful Detainer-Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2., 6.
	Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.

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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.
	Writ of Mandate (02)	<input checked="" type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2., 8. 2. 2.
	Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2., 8.
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1., 2., 8.
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1., 2., 3.
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1., 2., 8.
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1., 2., 8.
	Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1., 2., 3., 8.
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.
	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1., 2., 8.
	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only	1., 2., 8.
		<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)	2., 8.
		<input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex)	1., 2., 8.
	Miscellaneous Civil Petitions	<input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8.
Partnership Corporation Governance (21)		<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2., 8.
Other Petitions (Not Specified Above) (43)		<input type="checkbox"/> A6121 Civil Harassment <input type="checkbox"/> A6123 Workplace Harassment <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition	2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7. 2., 3., 4., 8. 2., 9.

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Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., **Step 3** on Page 1, as the proper reason for filing in the court location you selected.

REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case. <input type="checkbox"/> 1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input checked="" type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10. <input type="checkbox"/> 11.			ADDRESS: Dr. Fajardo and County of Los Angeles Dept of Medical Examiner-Coroner 1104 N. Mission Road Los Angeles, CA 90033 Sheriff McDonnell and County of Los Angeles Sheriff's Department 4700 Ramona Boulevard Los Angeles, CA 91754-2169
CITY: Los Angeles	STATE: CA	ZIP CODE:	

Item IV. Declaration of Assignment: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Stanley Mosk courthouse in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.3, subd.(a)].

Dated: Nov. 5, 2015


 (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, LACIV 109, LASC Approved 03-04 (Rev. 03/15).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the 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 in order 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.