

dem.
3/27/03
6-28
2/24/03

1 RUTAN & TUCKER, LLP
S. Daniel Harbottle (State Bar No. 156442)
2 Epiphany Owen (State Bar No. 211527)
611 Anton Boulevard, Fourteenth Floor
3 Costa Mesa, California 92626-1931
Telephone: 714-641-5100
4 Facsimile: 714-546-9035
5 Attorneys for Plaintiff
SADDLEBACK VALLEY UNIFIED SCHOOL
6 DISTRICT

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER

MAR 13 2003

ALAN SLATER, Clerk of the Court
A. Knox
BY A. KNOX

7
8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF ORANGE, CENTRAL JUSTICE CENTER

10
11 SADDLEBACK VALLEY UNIFIED
SCHOOL DISTRICT,

12 Plaintiff,

13 vs.

14 PACIFIC SOILS ENGINEERING, INC.; THE
15 BALDWIN COMPANY; DOUGLAS E.
BARNHART, INC.; CHARLES
16 ENGINEERING, INC.; and DOES 1 through
300, Inclusive,

17 Defendants.

Case No. 02CC17784

Judge Robert H. Gallivan
Department C28

FIRST AMENDED COMPLAINT

- (1) Negligence
- (2) Breach of Contract
- (3) Breach of Express Warranty
- (4) Breach of Implied Warranty
- (5) Strict Liability

Date Action Filed: 11/27/02
Trial Date: None

18
19
20 Plaintiff SADDLEBACK VALLEY UNIFIED SCHOOL DISTRICT ("SVUSD" or
21 "District") hereby alleges as follows:

22 **GENERAL ALLEGATIONS**

- 23 1. SVUSD is a public school district within the County of Orange and is duly
24 organized and existing pursuant to the Constitution and applicable laws of the State of California.
- 25 2. SVUSD owns and operates Portola Hills Elementary School ("School") located in
26 Lake Forest, California. SVUSD has discovered damage to the School property and the
27 improvements thereon, including structural damage, flatwork damage, cracks and deflections.
- 28 3. SVUSD is informed and believes and on that basis alleges that Defendant Pacific

THIS CASE WAS FILED TO CALIFORNIA TO OBTAIN A JUDICIAL DECISION AND DEPARTMENT
OF REVENUE MUST INCLUDE THE FILING FEE AND DEPARTMENT
DESIGNATION AS SHOWN UNDER THE FILING NUMBER. ALL PARTIES
MUST COMPLY WITH THE COUNTY OF ORANGE COUNTY RULES.