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8 Attorney for Plaintiffs JOSETTE ROFER,
9 and ARON ROFER

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **FOR THE COUNTY OF ORANGE – CENTRAL JUSTICE CENTER**

12
13 JOSETTE ROFER, an individual and as
14 successor-in-interest to BRADLEY
15 ROFER; and ARON ROFER, an
16 individual and as successor-in-interest to
17 BRADLEY ROFER,

18 Plaintiffs,

19 vs.

20 ALL CITY MANAGEMENT
21 SERVICES, INC.; COUNTY OF
22 ORANGE; CAPISTRANO UNIFIED
23 SCHOOL DISTRICT; NORBERTO
24 CABANAS CORONA; and DOES 1
25 through 100, Inclusive,

26 Defendants.

CASE NO: 30-2023-01346985-CU-PO-CJC

Assigned for All Purposes

JUDGE:

Judge Sandy Leal

DEPT:

COMPLAINT FOR DAMAGES FOR:

- 1. VEHICLE NEGLIGENCE (WRONGFUL DEATH)
- 2. NEGLIGENCE (WRONGFUL DEATH)
- 3. PERSONAL INJURIES (PRE-DEATH) OF BRADLEY ROFER
- 4. DANGEROUS CONDITION OF PUBLIC PROPERTY (GOVERNMENT CODE SECTIONS 830 AND 835)

(Unlimited Civil Case)

DEMAND FOR JURY TRIAL

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1 COMES NOW Plaintiffs JOSETTE ROFER, an individual and as successor-in-interest to
2 BRADLEY ROFER, and ARON ROFER, an individual and as successor-in-interest to
3 BRADLEY ROFER, the parents of BRADLEY ROFER, who allege against the Defendants, and
4 each of them, as follows:

5 **GENERAL ALLEGATIONS**

6 1. This is an action for wrongful death brought by the parents of BRADLEY ROFER
7 arising out of the tragic and preventable collision incident that occurred on or around 7:25 a.m. on
8 September 1, 2022, at or around Coto De Caza Drive in the north crosswalk of the intersection
9 with Oso Parkway in the County of Orange, State of California. As a result of the Defendants’
10 wrongful conduct, and each of them, as detailed below, BRADLEY ROFER, suffered injuries that
11 ultimately caused his death on September 5, 2022.

12 **THE PARTIES**

13 2. Decedent BRADLEY ROFER was a resident of Coto De Caza, County of Orange.
14 At the time of his death, BRADLEY ROFER was eight years of age and a strong and healthy
15 person. BRADLEY ROFER is survived by his parents JOSETTE ROFER and ARON ROFER.

16 3. Plaintiff JOSETTE ROFER is a competent adult, over the age of eighteen, and a
17 resident of Coto De Caza, Orange County, California. JOSETTE ROFER is the mother of the
18 decedent, BRADLEY ROFER. Plaintiff JOSETTE ROFER is successor-in-interest to her son,
19 decedent BRADLEY ROFER. Attached to this Complaint as “**Exhibit 1**” is a true and correct
20 copy of the Declaration of JOSETTE ROFER Pursuant to Section 337.32 of the Code of Civil
21 Procedure, as well as enclosing a certified copy of BRADLEY ROFER’s Certificate of Death.

22 4. Plaintiff ARON ROFER is a competent adult, over the age of eighteen, and a
23 resident of Coto De Caza, Orange County, California. ARON ROFER is the father of the decedent,
24 BRADLEY ROFER. Plaintiff ARON ROFER is successor-in-interest to his son, decedent
25 BRADLEY ROFER. Attached to this Complaint as “**Exhibit 2**” is a true and correct copy of the
26 Declaration of ARON ROFER Pursuant to Section 337.32 of the Code of Civil Procedure, as well
27 as enclosing a certified copy of BRADLEY ROFER’s Certificate of Death.

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1 5. Defendant ALL CITY MANAGEMENT SERVICES, INC. doing business as THE
2 CROSSING GUARD COMPANY and/or ACMS CARES, Inc. (hereinafter “ACMS, INC.”), is
3 and at all material times mentioned herein was, a California corporation in good standing organized
4 and existing under the State of California with its principal place of business in the County of Los
5 Angeles, State of California.

6 6. Defendant COUNTY OF ORANGE (hereinafter “COUNTY”), at all times
7 mentioned herein was and is, a public entity organized and existing under the laws of the State of
8 California and located in Orange County, California.

9 7. Defendant CAPISTRANO UNIFIED SCHOOL DISTRICT (hereinafter “CUSD”),
10 was, and is a public entity operating schools in Orange County, California, including, but not
11 limited to, Wagon Wheel Elementary School located at 30912 Bridle Path, in Coto de Caza,
12 California.

13 8. Defendant NORBERTO CABANAS CORONA (hereinafter “CORONA”), is an
14 individual with a last known address in the City of Tustin, County of Orange, State of California

15 9. The true names or capacities of Defendants DOES 1 through 100, inclusive, and
16 each of them, whether individual, corporate, governmental, municipal, associate or otherwise, are
17 unknown to Plaintiffs at the time of filing this Complaint and Plaintiffs, therefore, sues said
18 Defendants by such fictitious names and will ask leave of Court to amend this Complaint to show
19 their true names or capacities when the same have been ascertained. Plaintiffs are informed and
20 believe, and based thereon alleges, that each of the DOE Defendants is, in some manner,
21 responsible for the events and happenings herein set forth and proximately negligently caused
22 injury and damages to the Plaintiffs as herein alleged.

23 10. At all times herein mentioned, each of the Defendants, including DOES 1 through
24 100, were the agents, servant, employees, and special employees of each of the remaining
25 Defendants including DOES 1 through 100, at all times herein mentioned were acting within the
26 course and scope of said agency and employment.

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JURISDICTION AND VENUE

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2 11. Venue is proper in the current court given that the subject incident and conduct
3 complained of herein occurred within the County of Orange, State of California and the damages
4 sustained by the Plaintiffs are within the unlimited jurisdiction of the Superior Court of the State
5 of California.

6 12. On or about February 24, 2023, timely claims for damages were filed on behalf of
7 the Plaintiffs within the COUNTY OF ORANGE in substantial compliance with California
8 Government Code § 910, *et seq.* As of the date of filing this Complaint, the claims for Plaintiffs
9 ARON ROFER and JOSETTE ROFER were rejected by the COUNTY OF ORANGE, on or about
10 March 9, 2023. Thus, this claim has been timely filed against and it is proper for this action to
11 proceed in this Court.

12 13. On or about February 24, 2023, timely claims for damages were filed on behalf of
13 the Plaintiffs within the CAPISTRANO UNIFIED SCHOOL DISTRICT in substantial compliance
14 with California Government Code § 910, *et seq.* As of the date of filing this Complaint, said claims
15 were rejected by the CAPISTRANO UNIFIED SCHOOL DISTRICT, on or about March 15, 2023,
16 with respect to the claim for Plaintiff ARON ROFER, and March 27, 2023, with respect to the
17 claim for Plaintiff JOSETTE ROFER. Thus, this claim has been timely filed against and it is
18 proper for this action to proceed in this Court.

FACTUAL ALLEGATIONS

19
20 14. Oso Parkway is an east/west road and terminates at the intersection with South
21 Bend Road (south of Oso Parkway) and Coto De Caza Drive (north of Oso Parkway). This three-
22 way intersection is controlled by painted white STOP lettering in the lanes, stop limit lines, and
23 posted red and white STOP signs. There are two lanes each for northbound and southbound Coto
24 De Caza Drive/South Bend Road, and for eastbound and westbound Oso Parkway. The eastbound
25 #1 lane of Oso Parkway is a designated left turn-only lane to northbound Coto De Caza Drive. The
26 eastbound #2 lane of Oso Parkway can turn right or left to southbound South Bend Road or
27 northbound Coto De Caza Drive. Painted crosswalks allow pedestrian travel across the roadway
28

1 at the intersection of Oso Parkway and Coto De Caza. Sidewalks border both sides of the
2 roadways, and the area is mixed-use, with residential homes (hereinafter “Subject Intersection”).

3 15. On or about September 1, 2022, it is believed thereon alleged that BRADLEY
4 ROFER, age eight at the time, was riding his bicycle to school north on the pedestrian path east of
5 South Bend Road. He entered the north crosswalk at the northeast corner of the intersection.
6 Defendant CORONA, the driver of a Ford F-150, was driving east on Oso Parkway approaching
7 Coto De Caza Drive in the #1 lane (left turn only lane to northbound Coto De Caza Drive). When
8 Defendant CORONA, the driver of the Ford F-150, completed his left turn to northbound Coto de
9 Caza Drive he failed to observe BRADLEY ROFER traversing the crosswalk ahead of him and
10 struck BRADLEY ROFER, in an unincorporated area of the County of Orange, State of California.

11 16. Plaintiffs are informed and believe and thereon allege that Defendant CORONA,
12 and DOES 1-25, are, and all times herein mentioned were acting within the course and scope of
13 their employment with Defendant DOES 26 through 50.

14 17. Plaintiffs are informed and believe and thereon allege that at all times mentioned
15 herein, Defendant CORONA, and DOES 26 through 50, inclusive, and each of them, were the
16 owners of the white Ford F-150 XL motor vehicle, and, at the time of the incident complained of,
17 this vehicle was being driven and operated by Defendant CORONA, and DOES 1 through 50,
18 inclusive, and each of them, with the full permission, knowledge and consent of all the remaining
19 Defendants, and each of them.

20 18. Based on information and belief, the incident occurred around 7:25 a.m. during the
21 morning peak traffic hour. Two crossing guards were assigned at the Subject Intersection from
22 7:15 am to 8 am to assist students crossing the streets. However, neither of them was present at the
23 time of the incident.

24 19. Decedent BRADLEY ROFER initially survived the collision sequence, however,
25 the injuries suffered because of the collision ultimately caused his death on September 5, 2022.

26 20. As a direct and legal result of the conduct of Defendants, and each of them, and the
27 death of BRADLEY ROFER, Plaintiffs JOSETTE ROFER and ARON ROFER, have been
28 deprived of the love, companionship, affection, society, and solace of their son BRADLEY

1 ROFER, and have been caused the loss of future services, to their great loss and damage in an
2 amount to be shown according to proof. All said injuries have caused and continue to cause
3 Plaintiffs JOSETTE ROFER and ARON ROFER great pain and suffering and anxiety.

4 **FIRST CAUSE OF ACTION**

5 **WRONGFUL DEATH OF BRADLEY ROFER – NEGLIGENCE**

6 **(On behalf of Plaintiffs JOSETTE ROFER, individually, and ARON ROFER, individually,**
7 **vs. Defendant NORBERTO CABANAS CORONA and DOES 1 through 100, Inclusive)**

8 21. Plaintiffs hereby incorporate by reference paragraphs 1 through 20 of Plaintiffs’
9 Complaint, and every part thereof, with the same force and effect as though set out fully herein.

10 22. At all times herein mentioned, Defendant CORONA and DOES 1 through 100 and
11 each of them, so negligently, carelessly, recklessly, wantonly and unlawfully, drove, operated,
12 maintained, conducted, controlled, trained, supervised, and entrusted the white Ford F-150 XL to
13 an employee who acted negligently and recklessly so as to directly and legally cause the vehicle
14 driven by Defendant CORONA and DOES 1 through 100 to collide with the bicycle driven by
15 BRADLEY ROFER.

16 23. As a direct and proximate result of Defendants’ negligence, and each of them,
17 Decedent BRADLEY ROFER, suffered grave physical injuries on September 1, 2022, that
18 ultimately caused his death on September 5, 2022.

19 24. As a direct and proximate cause of Defendants' conduct alleged herein, the
20 wrongful death of Decedent, BRADLEY ROFER, occurred.

21 25. As a direct and proximate result of the negligence of Defendants, and each of them,
22 and the death of BRADLEY ROFER, Plaintiffs JOSETTE ROFER and ARON ROFER, have
23 been, and will be, deprived of the love, care, society, affection, protection, companionship,
24 guidance, solace, moral support, physical support, and services of their son and protection have
25 thereby sustained, and will continue to sustain, damages in an amount to be shown according to
26 proof.

27 26. As a further direct and proximate result of the acts and omissions of Defendants,
28 and each of them, Plaintiffs were compelled to incur expenses for medical and professional

1 services and for the funeral and burial of BRADLEY ROFER, in an amount to be shown according
2 to proof.

3 27. At all times herein mentioned, Defendants, and each of them, Defendant CORONA
4 while operating a vehicle was negligent in the operation of said vehicle and did breach the duty to
5 operate the vehicle with reasonable care thereby causing the vehicle to collide with the bicycle
6 ridden by Decedent BRADLEY ROFER.

7 **SECOND CAUSE OF ACTION**

8 **WRONGFUL DEATH OF BRADLEY ROFER – NEGLIGENCE**

9 **(On behalf of Plaintiffs JOSETTE ROFER, individually, and ARON ROFER, individually,**
10 **vs. ALL CITY MANAGEMENT SERVICES, INC., COUNTY OF ORANGE,**
11 **CAPISTRANO UNIFIED SCHOOL DISTRICT and DOES 1 through 100, Inclusive)**

12 28. Plaintiffs hereby incorporate by reference paragraphs 1 through 27 of Plaintiffs’
13 Complaint, and every part thereof, with the same force and effect as though set out fully herein.

14 29. At the time this collision occurred and based on information and belief, Plaintiffs
15 hereon allege that two crossing guards, pursuant to a contract between Defendants ACMS, INC.,
16 COUNTY, and/or CUSD, and DOES 1 through 100, were assigned at the subject intersection, to
17 assist persons crossing the streets. However, no crossing guard was present at the time of the
18 incident. If there had been a crossing guard present at the time of the incident, the incident could
19 have been prevented.

20 30. Defendants ACMS, INC., COUNTY, and/or CUSD, and DOES 1 through 100,
21 assumed the duty and responsibility to safely monitor, supervise and control the crosswalk where
22 the incident occurred on behalf of students traveling to school, including decedent BRADLEY
23 ROFER and his parents JOSETTE ROFER and ARON ROFER and to use reasonable care and
24 communicate and/or warn of the absence of school crossing guards assigned to the Subject
25 Intersection. Decedent BRADLEY ROFER and his parents JOSETTE ROFER and ARON
26 ROFER relied on that assumption of duty and reasonable care to their great loss.

27 31. Defendants ACMS, INC., COUNTY, CUSD and DOES 1 through 100 were
28 negligent both by their actions and their failure to act.

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1 32. Defendants ACMS, INC., COUNTY, CUSD and DOES 1 through 100 did not act
2 as a reasonably careful person would do in the same situation.

3 33. The negligence of Defendants ACMS, INC., COUNTY, CUSD and DOES 1
4 through 100 caused Plaintiffs' harm and was a substantial factor in causing Plaintiffs' harm.

5 34. Defendant COUNTY is vicariously liable for the negligence of Defendant, ACMS,
6 INC. and/or Defendant CUSD and its employees due to its control over the activities of ACMS,
7 INC. including the details of the day-to-day activities of that contractor/vendor with Defendant
8 COUNTY.

9 35. Defendant CUSD is vicariously liable for the negligence of Defendant, ACMS,
10 INC. and/or Defendant COUNTY and its employees due to its control over the activities of ACMS,
11 INC. including the details of the day-to-day activities of that contractor/vendor with Defendant
12 ACMS, INC.

13 36. In addition, the Defendants COUNTY, CUSD, and ACMS, INC., and DOES 1
14 through 100, negligently exercised the control it retained over the crossing guards pursuant to a
15 contract among Defendants.

16 37. As a direct and proximate result of Defendants' negligence, and each of them,
17 Decedent BRADLEY ROFER, suffered grave physical injuries that ultimately caused his death on
18 September 5, 2022.

19 38. As a direct and proximate cause of Defendants' conduct alleged herein, the
20 wrongful death of Decedent, BRADLEY ROFER, occurred.

21 39. As a direct and proximate result of the negligence of Defendants, and each of them,
22 and the death of BRADLEY ROFER, Plaintiffs JOSETTE ROFER and ARON ROFER, have
23 been, and will be, deprived of the love, care, society, affection, protection, companionship,
24 guidance, solace, moral support, physical support, and services of their son and protection have
25 thereby sustained, and will continue to sustain, damages in an amount to be shown according to
26 proof.

27 40. As a further direct and proximate result of the acts and omissions of Defendants,
28 and each of them, Plaintiffs were compelled to incur expenses for medical and professional

1 services and for the funeral and burial of BRADLEY ROFER, in an amount to be shown according
2 to proof.

3 **THIRD CAUSE OF ACTION**

4 **PERSONAL INJURIES OF BRADLEY ROFER-NEGLIGENCE**

5 **(On behalf of Plaintiffs JOSETTE ROFER and ARON ROFER as successors-in-interest to**
6 **BRADLEY ROFER vs. All Defendants; and DOES 1 through 100, Inclusive)**

7 41. Plaintiff incorporates by reference the allegations set forth above in paragraphs 1
8 through 40 of Plaintiffs' Complaint, and every part thereof, with the same force and effect as
9 though set out fully herein.

10 42. As a direct and legal result of the negligence, carelessness, recklessness,
11 wantonness, and unlawfulness of the Defendants, and each of them, and the resulting permanent
12 injuries, as aforesaid, decedent BRADLEY ROFER sustained severe and serious injury to his
13 person, all to Plaintiffs' damage in a sum within the jurisdiction of this Court and to be shown
14 according to proof.

15 43. By reason of the foregoing, Decedent, Bradley Rofer was required to employ the
16 services of hospitals, physicians, surgeons, nurses, and other professional services including
17 expenses for ambulance service, medicines, x-rays, and other medical supplies and services, all to
18 the damage of plaintiffs in an amount to be shown according to proof.

19 44. Prior to his death and because of this instant incident as detailed above, BRADLEY
20 ROFER suffered from significant non-economic damage, including, but not limited to, pre-death
21 pain, suffering and disfigurement within California Code of Civil Procedure §337.34(b).

22 45. This cause of action is brought on behalf of BRADLEY ROFER through his
23 successors-in-interest, JOSETTE ROFER, and ARON ROFER.

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FOURTH CAUSE OF ACTION

DANGEROUS CONDITION OF PUBLIC PROPERTY

(GOVERNMENT CODE SECTIONS 830 and 835)

(On behalf of Plaintiffs JOSETTE ROFER and ARON ROFER, individually and as successors-in-interest to BRADLEY ROFER, vs. COUNTY OF ORANGE and DOES 1 through 100, Inclusive)

46. Plaintiff incorporates by reference the allegations set forth above in paragraphs 1 through 45 of Plaintiffs' Complaint, and each part thereof, with the same force and effect as though set out fully herein.

47. Defendant COUNTY and DOES 1 through 100, controlled and maintained the Subject Intersection at the time of the incident described herein.

48. As the planner, designer, controller, supervisor, owner, operator, regulator, and maintenance provider of the Subject Intersection, Defendant COUNTY, and DOES 1 through 100, owed a duty of care to users of these public roadways to maintain and operate them in a reasonable and safe manner including, but not limited to, Decedent, BRADLEY ROFER. Defendants also owed a duty to properly plan and design the roadway and thereafter supervise, maintain, revise, and adjust the conditions of roadways under their control to best protect users from dangerous conditions that roadways can present, including the changed conditions and usage thereof at the intersection where the subject incident occurred.

49. At the time and place aforesaid and prior thereto, the aforementioned property was in a dangerous condition which created a substantial risk of injury when it was used with due care in a manner in which it was reasonably foreseeable that it would be used, in that: Defendant COUNTY, among other negligent acts, negligently selected, designed, constructed, supervised, controlled, maintained, operated, oversaw, permitted, staffed and directed the aforesaid roadway, crosswalk, intersection, and its surroundings, or otherwise acted negligently, so as to cause the subject incident. Defendant COUNTY, selected, designed, constructed, supervised, controlled, maintained, operated, oversaw, permitted, staffed and directed the aforesaid roadway, intersection, and its surroundings, as to cause a dangerous condition of public property to exist at the aforesaid

1 location, said condition including, but not limited to, improper signage, improper traffic control
2 devices, improper sight distance, improper crossing guard operation, negligent scheduling times
3 for crossing guard operation on the day the subject incident occurred, with full knowledge of the
4 threat of safety to the public and failing to provide such signals, warnings, signs, markings,
5 crossing guards, devices, notices, and/or other alerts that were necessary to warn motorists,
6 pedestrians, and bicyclists of the dangerous condition at said roadway, crosswalk, and intersection.

7 50. Defendant COUNTY should have foreseen the deficiencies in the intersection,
8 combined with the schedule of the COUNTY contracted crossing guards could, and did, result in
9 unreasonable risks to those using the Subject Intersection.

10 51. As a direct and proximate result of the dangerous road conditions at the Subject
11 Intersection, Decedent BRADLEY ROFER suffered grave physical injury and ultimately died
12 because of the injuries he sustained.

13 **PRAYER FOR RELIEF**

14 WHEREFORE, PLAINTIFFS PRAY FOR JUDGMENT AGAINST DEFENDANTS,
15 AND EACH OF THEM, AS FOLLOWS:

- 16 1. For non-economic damage for the pre-death pain, suffering, and disfigurement of
17 decedent BRADLEY ROFER, in an amount to be shown according to proof at the time
18 of trial;
- 19 2. For special damages according to proof;
- 20 3. For personal property damage according to proof;
- 21 4. For loss of the services, love, society, care, aid, comfort, companionship and affection
22 of decedent, in a sum in excess of the jurisdictional minimum of this Court;
- 23 5. For loss of financial support and contribution from decedent in an amount to be
24 shown according to proof at the time of trial;
- 25 6. For all costs of the decedent's funeral, burial and related expenses according to proof;
- 26 7. For pre-judgment and post-judgment interest as allowed by law, including, but not
27 limited to, Cal. Civ. Code Section 3291;
- 28 8. For costs of suit incurred herein; and


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9. For such other and further relief as this Court may deem just and proper.

In addition, Plaintiffs hereby demand a trial by jury.

Dated: August 31, 2023

AITKEN ♦ AITKEN ♦ COHN

By: 
MICHAEL A. PENN, ESQ.
Attorneys for Plaintiffs JOSETTE
ROFER and ARON ROFER

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EXHIBIT 1

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8 Attorney for Plaintiffs JOSETTE ROFER,
9 and ARON ROFER

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **FOR THE COUNTY OF ORANGE – CENTRAL JUSTICE CENTER**

12 JOSETTE ROFER, an individual and as
13 successor-in-interest to BRADLEY
14 ROFER; and ARON ROFER, an
15 individual and as successor-in-interest to
16 BRADLEY ROFER,

17 Plaintiffs,

18 vs.

19 ALL CITY MANAGEMENT
20 SERVICES, INC.; COUNTY OF
21 ORANGE; CAPISTRANO UNIFIED
22 SCHOOL DISTRICT; NORBERTO
23 CABANAS CORONA; and DOES 1
24 through 100, Inclusive,

25 Defendants.

) CASE NO:

) JUDGE:

) DEPT:

) **DECLARATION OF JOSETTE ROFER**
) **PURSUANT TO SECTION 377.32 OF THE**
) **CODE OF CIVIL PROCEDURE**

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1 DECLARATION OF JOSETTE ROFER

2 I, Josette Rofer, declare as follows:

3 1. I am over the age of 18 years. I have personal knowledge of the facts contained in
4 this Declaration, and if called as a witness I could and would testify competently to the truth of the
5 facts stated herein.

6 2. I am the mother of Bradley Rofer who died on September 5, 2022, in Mission Viejo,
7 California.

8 3. No proceeding is now pending in the State of California for the administration of
9 the Estate of Bradley Rofer.

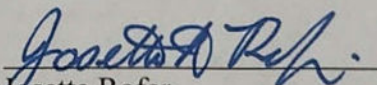
10 4. I am authorized to act as Successor-in-interest to Bradley Rofer, as defined in
11 Section 377.11 of the California Code of Civil Procedure and succeed to his interest in the above-
12 entitled proceeding.

13 5. Other than the father of Bradley Rofer, Aron Rofer, no other person has a superior
14 right to commence the above-entitled proceeding or to be substituted for Bradley Rofer in the
15 above-entitled proceeding.

16 6. A certified copy of the Certificate of Death for Bradley Rofer is attached hereto as
17 **Exhibit "A"** and incorporated herein by reference.

18 I declare under penalty of perjury under the laws of the State of California that the
19 foregoing is true and correct.

20 Executed this 29 day of August 2023 at Coto De Caza, California.

21 
22 Josette Rofer

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EXHIBIT A

STATE OF CALIFORNIA

CERTIFICATION OF VITAL RECORD

COUNTY OF ORANGE

HEALTH CARE AGENCY

3052022207258

CERTIFICATE OF DEATH

3202230016286

STATE FILE NUMBER 3052022207258		STATE OF CALIFORNIA USE BLACK INK ONLY / NO ERASURES, WHITEOUTS OR ALTERATIONS VS-11 (REV 3/96)		LOCAL REGISTRATION NUMBER 3202230016286	
1. NAME OF DECEDENT - FIRST (Given) BRADLEY		2. MIDDLE DONOVAN		3. LAST (Family) ROFER	
4. DATE OF BIRTH 2013		5. AGE Yrs. 8		6. SEX M	
9. BIRTH STATE/FOREIGN COUNTRY CA		10. SOCIAL SECURITY NUMBER [REDACTED]		11. EVER IN U.S. ARMED FORCES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNK	
12. MARRITAL STATUS/SHIP (at time of death) NEVER MARRIED		7. DATE OF DEATH 09/05/2022		8. HOUR (24 Hours) 1813	
13. EDUCATION - Highest Level Degree (See worksheet on back) 02		14. WAS DECEDENT HISPANIC/LATINO/SPANISH? (If yes, see worksheet on back) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		16. DECEDENT'S RACE - Up to 3 races may be listed (see worksheet on back) WHITE	
17. USUAL OCCUPATION - Type of work for most of life. DO NOT USE RETIRED STUDENT		18. KIND OF BUSINESS OR INDUSTRY (e.g., grocery store, food construction, employment agency, etc.) ELEMENTARY SCHOOL		19. YEARS IN OCCUPATION 5	
20. DECEDENT'S RESIDENCE (Street and number, or location)					
21. CITY [REDACTED]		22. COUNTY/PRIOR NAME [REDACTED]		23. ZIP CODE [REDACTED]	
24. YEARS IN COUNTY 8		25. STATE/FOREIGN COUNTRY CA			
26. INFORMANT'S NAME, RELATIONSHIP ARON ROFER, FATHER					
27. INFORMANT'S HOME AND ADDRESS (Street and number or apartment number, city or town, state and zip)					
28. NAME OF SURVIVING SPOUSE/SPOP - FIRST -		29. MIDDLE -		30. LAST (BIRTH NAME) -	
31. NAME OF FATHER/PARENT - FIRST ARON		32. MIDDLE -		33. LAST (BIRTH NAME) ROFER	
34. BIRTH STATE CA		35. NAME OF MOTHER/PARENT - FIRST JOSETTE		36. MIDDLE -	
37. LAST (BIRTH NAME) URPIN		38. BIRTH STATE CA			
39. DISPOSITION DATE 09/09/2022		40. PLACE OF FINAL DISPOSITION [REDACTED]			
41. TYPE OF DISPOSITION BURIAL		42. SIGNATURE OF EMBALMER NOT EMBALMED		43. LICENSE NUMBER -	
44. NAME OF FUNERAL ESTABLISHMENT MALINOW AND SILVERMAN MORTUARY		45. LICENSE NUMBER FD487		46. SIGNATURE OF LOCAL REGISTRAR REGINA CHINSIO-KWONG, DO	
47. DATE 09/08/2022					
101. PLACE OF DEATH CHILDREN'S HOSPITAL AT MISSION					
104. COUNTY ORANGE		105. FACILITY ADDRESS OR LOCATION WHERE FOUND (Street and number, or location) 27700 MEDICAL CENTER RD		106. CITY MISSION VIEJO	
107. CAUSE OF DEATH Enter the chain of events - diseases, injuries, or complications - that directly caused death. DO NOT enter terminal words such as cardiac arrest, respiratory arrest, or ventricular fibrillation without showing the etiology. DO NOT ABBREVIATE. IMMEDIATE CAUSE (Direct result or condition resulting in death) (A) TRAUMATIC BRAIN INJURY		108. IF HOSPITAL, SPECIFY ONE <input checked="" type="checkbox"/> Inpatient <input type="checkbox"/> Outpatient <input type="checkbox"/> Outpatient - Clinic <input type="checkbox"/> Home <input type="checkbox"/> Nursing Home/LTC <input type="checkbox"/> Decedent's Home <input type="checkbox"/> Other		109. IF OTHER THAN HOSPITAL, SPECIFY ONE Time Interval Between Onset and Death (in days) 5 DAYS	
109. UNDERLYING CAUSE (Underlying cause of injury that initiated the events resulting in death) LAST NONE		110. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RESULTING IN THE UNDERLYING CAUSE GIVEN IN 107 NONE		111. DEATH REPORTED TO CORONER? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
112. OPERATIONS PERFORMED FOR ANY CONDITION IN ITEM 107 OR 110? (See list type of operation and date) PLACEMENT OF LICOX AND INTRACRANIAL PRESSURE MONITOR 09/02/2022		113. IF FEMALE, PREGNANT IN LAST YEAR? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNK		114. CERTIFY THAT TO THE BEST OF MY KNOWLEDGE DEATH OCCURRED AT THE HOUR, DATE, AND PLACE STATED FROM THE CAUSE STATED. Declarant Attested Below Declarant Last Seen Live 09/02/2022 09/05/2022	
115. SIGNATURE AND TITLE OF CERTIFIER GARY GOODMAN, MD		116. LICENSE NUMBER G45219		117. DATE 09/07/2022	
118. TYPE ATTENDING PHYSICIAN'S NAME, MAILING ADDRESS, ZIP CODE GARY GOODMAN, MD 1201 W LAVETA AVE, ORANGE, CA 92668		119. CERTIFY THAT IN MY OPINION DEATH OCCURRED AT THE HOUR, DATE, AND PLACE STATED FROM THE CAUSE STATED. Manner of Death: <input type="checkbox"/> Natural <input checked="" type="checkbox"/> Accidental <input type="checkbox"/> Homicide <input type="checkbox"/> Suicide <input type="checkbox"/> Pending Investigation <input type="checkbox"/> Cause Not Determined		120. INJURED AT WORK? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNK	
121. INJURY DATE 09/01/2022		122. HOUR (24 Hours) 0726 EST			
123. PLACE OF INJURY (e.g., home, construction site, wooded area, etc.) OTHER STREET					
124. DESCRIBE HOW INJURY OCCURRED. Describe what happened in detail. OPERATOR OF BICYCLE VS. PICK-UP TRUCK					
125. LOCATION OF INJURY (Street and number, or location, and city, and zip) OSO PARKWAY AND COTO DE CAZA DRIVE COTO DE CAZA, CA 92679					
126. SIGNATURE OF CORONER / DEPUTY CORONER RAQUEL CLARKE		127. DATE 09/07/2022		128. TYPE NAME, TITLE OF CORONER / DEPUTY CORONER RAQUEL CLARKE, DEP CORONER	
STATE REGISTRAR		FAX AUTH.#		CENSUS TRACT	



CERTIFIED COPY OF VITAL RECORDS

STATE OF CALIFORNIA } SS
COUNTY OF ORANGE

DATE ISSUED **September 9, 2022**

This is a true and exact reproduction of the document officially registered and placed on file in the office of the VITAL RECORDS SECTION, ORANGE COUNTY HEALTH CARE AGENCY.

Regina Chinsio-Kwong
REGINA CHINSIO-KWONG, DO
HEALTH OFFICER
ORANGE COUNTY, CALIFORNIA

This copy not valid unless prepared on engraved border displaying seal and signature of Registrar.

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE



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EXHIBIT 2

1 Michael A. Penn, Esq. (SBN 233817)
AITKEN ♦ AITKEN ♦ COHN
2 3 MacArthur Place, Suite 800
3 Santa Ana, California 92707-2555
Telephone Number: (714) 434-1424
4 Facsimile Number: (714) 434-3600
Email Address(es): michael@aitkenlaw.com; diana@aitkenlaw.com

5 Attorney for Plaintiffs JOSETTE ROFER,
6 and ARON ROFER

7
8
9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **FOR THE COUNTY OF ORANGE – CENTRAL JUSTICE CENTER**
11

12 JOSETTE ROFER, an individual and as
13 successor-in-interest to BRADLEY
ROFER; and ARON ROFER, an
14 individual and as successor-in-interest to
15 BRADLEY ROFER,

16 Plaintiffs,

17 vs.

18
19 ALL CITY MANAGEMENT
20 SERVICES, INC.; COUNTY OF
21 ORANGE; CAPISTRANO UNIFIED
22 SCHOOL DISTRICT; NORBERTO
CABANAS CORONA; and DOES 1
through 100, Inclusive,

23 Defendants.
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) CASE NO:

) JUDGE:

) DEPT:

) **DECLARATION OF ARON ROFER**
) **PURSUANT TO SECTION 377.32 OF THE**
) **CODE OF CIVIL PROCEDURE**

AITKEN ♦ AITKEN ♦ COHN
3 MACARTHUR PLACE, SUITE 800
SANTA ANA, CA 92707
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714-434-3600 FACSIMILE

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DECLARATION OF ARON ROFER

I, Aron Rofer, declare as follows:

1. I am over the age of 18 years. I have personal knowledge of the facts contained in this Declaration, and if called as a witness I could and would testify competently to the truth of the facts stated herein.

2. I am the father of Bradley Rofer who died on September 5, 2022, in Mission Viejo, California.

3. No proceeding is now pending in the State of California for the administration of the Estate of Bradley Rofer.

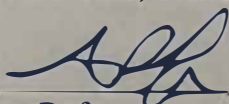
4. I am authorized to act as Successor-in-interest to Bradley Rofer, as defined in Section 377.11 of the California Code of Civil Procedure and succeed to his interest in the above-entitled proceeding.

5. Other than the mother of Bradley Rofer, Josette Rofer, no other person has a superior right to commence the above-entitled proceeding or to be substituted for Bradley Rofer in the above-entitled proceeding.

6. A certified copy of the Certificate of Death for Bradley Rofer is attached hereto as **Exhibit "A"** and incorporated herein by reference.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 29 day of August 2023 at Coto De Caza, California.



Aron Rofer

AITKEN ♦ AITKEN ♦ COHN
3 MACARTHUR PLACE, SUITE 800
SANTA ANA, CA 92707
714-434-1424
714-434-3600 FACSIMILE

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EXHIBIT A

STATE OF CALIFORNIA

CERTIFICATION OF VITAL RECORD

COUNTY OF ORANGE HEALTH CARE AGENCY

3052022207258

CERTIFICATE OF DEATH

3202230016286

Form with sections: DECEDENT'S PERSONAL DATA, USUAL RESIDENCE, INFORMANT, SPOUSE AND PARENT INFORMATION, FUNERAL DIRECTORY LOCAL REGISTRAR, PLACE OF DEATH, CAUSE OF DEATH, INDIVIDUAL CERTIFICATION, and CORONER'S FILE ONLY.



CERTIFIED COPY OF VITAL RECORDS

STATE OF CALIFORNIA } SS
COUNTY OF ORANGE

DATE ISSUED September 9, 2022

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REGINA CHINSIO-KWONG, DO
HEALTH OFFICER
ORANGE COUNTY, CALIFORNIA

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