

CIVIL ACTION COVER SHEET

DOCKET NUMBER

Massachusetts Trial Court
Superior Court



COUNTY Suffolk County

Plaintiff Nathalie Murcia	Defendant: Pho Pasteur II, Inc.
ADDRESS: 82 Atlantic Avenue, Suite 202 Boston, MA 02110	ADDRESS: 682 Washington Street Boston, MA 02111

Plaintiff Attorney: John McCarthy	Defendant Attorney:
ADDRESS: 82 Atlantic Avenue, Suite 202 Boston, MA 02110	ADDRESS:

BBO: 705631	BBO:
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TYPE OF ACTION AND TRACK DESIGNATION (see instructions section on next page)

CODE NO.	TYPE OF ACTION (specify)	TRACK	HAS A JURY CLAIM BEEN MADE?
B04	Other Negligence-- Personal Injury/Property Damage	F	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

*If "Other" please describe:

Is there a claim under G.L. c. 93A?

YES NO

Is there a class action under Mass. R. Civ. P. 23?

YES NO

STATEMENT OF DAMAGES REQUIRED BY G.L. c. 212, § 3A

The following is a full, itemized and detailed statement of the facts on which the undersigned plaintiff or plaintiff's counsel relies to determine money damages. (Note to plaintiff: for this form, do not state double or treble damages; indicate single damages only.)

TORT CLAIMS

A. Documented medical expenses to date

- | | |
|--|--------------|
| 1. Total hospital expenses | >\$50,000.00 |
| 2. Total doctor expenses | >\$50,000.00 |
| 3. Total chiropractic expenses | TBD |
| 4. Total physical therapy expenses | TBD |
| 5. Total other expenses (describe below) | TBD |

Subtotal (1-5): >\$50,000.00 \$0.00

B. Documented lost wages and compensation to date

TBD

C. Documented property damages to date

TBD

D. Reasonably anticipated future medical and hospital expenses

TBD

E. Reasonably anticipated lost wages

TBD

F. Other documented items of damages (describe below)

TBD

TOTAL (A-F): >\$50,000.00 \$0.00

G. Briefly describe plaintiff's injury, including the nature and extent of the injury:

2nd & 3rd degree burns on groin and thigh area requiring in-patient stay at burn unit, skin grafting surgery

CONTRACT CLAIMS

This action includes a claim involving collection of a debt incurred pursuant to a revolving credit agreement. Mass. R. Civ. P. 8.1(a).

Item #	Detailed Description of Each Claim	Amount
1.		
Total		

Signature of Attorney/Self-Represented Plaintiff: X /s/ John McCarthy	Date: 10/25/2024
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RELATED ACTIONS: Please provide the case number, case name, and county of any related actions pending in the Superior Court.

CERTIFICATION UNDER S.J.C. RULE 1:18(5)

I hereby certify that I have complied with requirements of Rule 5 of Supreme Judicial Court Rule 1:18: Uniform Rules on Dispute Resolution, requiring that I inform my clients about court-connected dispute resolution services and discuss with them the advantages and disadvantages of the various methods of dispute resolution.

Signature of Attorney: X /s/ John McCarthy	Date: 10/25/2024
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CIVIL ACTION COVER SHEET INSTRUCTIONS — SELECT A CATEGORY THAT BEST DESCRIBES YOUR CASE*

<u>AC Actions Involving the State/Municipality†*</u>	<u>ER Equitable Remedies</u>	<u>RP Real Property</u>
AA1 Contract Action involving Commonwealth, Municipality, MBTA, etc. (A)	D01 Specific Performance of a Contract (A)	C01 Land Taking (F)
AB1 Tortious Action involving Commonwealth, Municipality, MBTA, etc. (A)	D02 Reach and Apply (F)	C02 Zoning Appeal, G.L. c. 40A (F)
AC1 Real Property Action involving Commonwealth, Municipality, MBTA etc. (A)	D03 Injunction (F)	C03 Dispute Concerning Title (F)
AD1 Equity Action involving Commonwealth, Municipality, MBTA, etc. (A)	D04 Reform/ Cancel Instrument (F)	C04 Foreclosure of a Mortgage (X)
AE1 Administrative Action involving Commonwealth, Municipality, MBTA, etc. (A)	D05 Equitable Replevin (F)	C05 Condominium Lien & Charges (X)
	D06 Contribution or Indemnification (F)	C99 Other Real Property Action (F)
	D07 Imposition of a Trust (A)	
	D08 Minority Shareholder's Suit (A)	<u>MC Miscellaneous Civil Actions</u>
	D09 Interference in Contractual Relationship (F)	E18 Foreign Discovery Proceeding (X)
	D10 Accounting (A)	E97 Prisoner Habeas Corpus (X)
	D11 Enforcement of Restrictive Covenant (F)	E22 Lottery Assignment, G.L. c. 10, § 28 (X)
	D12 Dissolution of a Partnership (F)	
	D13 Declaratory Judgment, G.L. c. 231A (A)	<u>AB Abuse/Harassment Prevention</u>
	D14 Dissolution of a Corporation (F)	E15 Abuse Prevention Petition, G.L. c. 209A (X)
	D99 Other Equity Action (F)	E21 Protection from Harassment, G.L. c. 258E(X)
<u>CN Contract/Business Cases</u>	<u>PA Civil Actions Involving Incarcerated Party ‡</u>	<u>AA Administrative Civil Actions</u>
A01 Services, Labor, and Materials (F)	PA1 Contract Action involving an Incarcerated Party (A)	E02 Appeal from Administrative Agency, G.L. c. 30A (X)
A02 Goods Sold and Delivered (F)	PB1 Tortious Action involving an Incarcerated Party (A)	E03 Certiorari Action, G.L. c. 249, § 4 (X)
A03 Commercial Paper (F)	PC1 Real Property Action involving an Incarcerated Party (F)	E05 Confirmation of Arbitration Awards (X)
A04 Employment Contract (F)	PD1 Equity Action involving an Incarcerated Party (F)	E06 Mass Antitrust Act, G.L. c. 93, § 9 (A)
A05 Consumer Revolving Credit - M.R.C.P. 8.1 (F)	PE1 Administrative Action involving an Incarcerated Party (F)	E07 Mass Antitrust Act, G.L. c. 93, § 8 (X)
A06 Insurance Contract (F)		E08 Appointment of a Receiver (X)
A08 Sale or Lease of Real Estate (F)	<u>TR Torts</u>	E09 Construction Surety Bond, G.L. c. 149, § 29, 29A (A)
A12 Construction Dispute (A)	B03 Motor Vehicle Negligence - Personal Injury/Property Damage (F)	E10 Summary Process Appeal (X)
A14 Interpleader (F)	B04 Other Negligence - Personal Injury/Property Damage (F)	E11 Worker's Compensation (X)
BA1 Governance, Conduct, Internal Affairs of Entities (A)	B05 Products Liability (A)	E16 Auto Surcharge Appeal (X)
BA3 Liability of Shareholders, Directors, Officers, Partners, etc. (A)	B06 Malpractice - Medical (A)	E17 Civil Rights Act, G.L. c.12, § 11H (A)
BB1 Shareholder Derivative (A)	B07 Malpractice - Other (A)	E24 Appeal from District Court Commitment, G.L. c.123, § 9(b) (X)
BB2 Securities Transactions (A)	B08 Wrongful Death - Non-medical (A)	E94 Forfeiture, G.L. c. 265, § 56 (X)
BC1 Mergers, Consolidations, Sales of Assets, Issuance of Debt, Equity, etc. (A)	B15 Defamation (A)	E95 Forfeiture, G.L. c. 94C, § 47 (F)
BD1 Intellectual Property (A)	B19 Asbestos (A)	E99 Other Administrative Action (X)
BD2 Proprietary Information or Trade Secrets (A)	B20 Personal Injury - Slip & Fall (F)	Z01 Medical Malpractice - Tribunal only, G.L. c. 231, § 60B (F)
BG1 Financial Institutions/Funds (A)	B21 Environmental (F)	Z02 Appeal Bond Denial (X)
BH1 Violation of Antitrust or Trade Regulation Laws (A)	B22 Employment Discrimination (F)	
A99 Other Contract/Business Action - Specify (F)	BE1 Fraud, Business Torts, etc. (A)	<u>SO Sex Offender Review</u>
	B99 Other Tortious Action (F)	E12 SDP Commitment, G.L. c. 123A, § 12 (X)
		E14 SDP Petition, G.L. c. 123A, § 9(b) (X)
	<u>RP Summary Process (Real Property)</u>	<u>RC Restricted Civil Actions</u>
	S01 Summary Process - Residential (X)	E19 Sex Offender Registry, G.L. c. 6, § 178M (X)
	S02 Summary Process - Commercial/ Non-residential (F)	E27 Minor Seeking Consent, G.L. c.112, § 12S(X)

* See Superior Court Standing Order 1-88 for an explanation of the tracking deadlines for each track designation: F, A, and X. On this page, the track designation for each case type is noted in parentheses.

†* Choose this case type if ANY party is the Commonwealth, a municipality, the MBTA, or any other governmental entity UNLESS your case is a case type listed under Administrative Civil Actions (AA).

‡ Choose this case type if ANY party is an incarcerated party, UNLESS your case is a case type listed under Administrative Civil Actions (AA) or is a Prisoner Habeas Corpus case (E97).

TRANSFER YOUR SELECTION TO THE FACE SHEET

EXAMPLE:

CODE NO.	TYPE OF ACTION (specify)	TRACK	HAS A JURY CLAIM BEEN MADE?
B03	Motor Vehicle Negligence-Personal Injury	<u> F </u>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

STATEMENT OF DAMAGES REQUIRED BY G.L. c. 212, § 3A

DUTY OF THE PLAINTIFF — On the face of the Civil Action Cover Sheet (or on attached additional sheets, if necessary), the plaintiff shall state the facts on which the plaintiff relies to determine money damages. A copy of the completed Civil Action Cover Sheet, including the statement concerning damages, shall be served with the complaint. **A clerk-magistrate shall not accept for filing a complaint, except as otherwise provided by law, unless it is accompanied by such a statement signed by the attorney or self-represented litigant.**

DUTY OF THE DEFENDANT — If the defendant believes that the statement of damages filed by the plaintiff is inadequate, the defendant may file with the defendant's answer a statement specifying the potential damages which may result if the plaintiff prevails.

**A CIVIL ACTION COVER SHEET MUST BE FILED WITH EACH COMPLAINT.
IF THIS COVER SHEET IS NOT FILLED OUT THOROUGHLY AND
ACCURATELY, THE CASE MAY BE DISMISSED.**