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11	Proposed Guardian ad litem	
12	SUPERIOR COURT OF TH	E STATE OF CALIFORNIA
13	COUNTY OF SAN MATEO	
14	COUNTION	SANWATEO
15 16 17 18 19 20 21 22 23 24 25	JANE DOE, N.M., individually and through proposed court-appointed <i>Guardian ad litem</i> ; Plaintiff, v. AMERICAN MEDICAL RESPONSE WEST, a California Corporation; and, AMERICAN MEDICAL RESPONSE, INC., a Delaware Corporation; DOES 1-25. Defendants.	CASE NO. COMPLAINT FOR: 1. VIOLATION OF THE ELDER AND DEPENDENT ADULT CIVIL PROTECTION ACT [Welf. & Instit. Code § 15600 et seq.] 2. INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS DEMAND FOR JURY TRIAL
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I. <u>INTRODUCTION</u>

1. This case involves yet another horrific sexual assault of an elderly resident of San Mateo County by AMR Emergency Medical Technician/Paramedic **Miguel Angel Nieblas**Ontiveros, a/k/a Miguel Ontiveros ("Ontiveros"). On May 21, 2022, Plaintiff **Jane Doe, N.M.**("Jane Doe") was subjected to sexual assault and elder abuse by Ontiveros while placed on a stretcher in an ambulance.



(Image available through https://www.amr.net, showing three seatbelt system in AMR ambulance)

- 2. While being transported to the hospital, Plaintiff Jane Doe was assaulted. Ontiveros attempted put his penis into Jane Doe's mouth while she was strapped down in the back of the AMR ambulance enroute to **Mills Peninsula hospital** after suffering a potential stroke at her home in Pacifica on the evening of May 21, 2022.
- 3. As a result of this egregious incident, Plaintiff Jane Doe has suffered significant emotional distress leading to a physical, emotional and mental downward spiral. She no longer lives independently and instead relies on her children for care. She is also deeply fearful of ambulances.

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¹ See, related civil case Jane Doe v. American Medical Response, Case No. 23-CIV-02303, San Mateo Superior Court (May 19, 2023) and related felony case, The People of the State of California v. Miguel Nieblas Ontiveros, Case 20-NF-014642-A, San Mateo Superior Court (April 21, 2023).

² A Confidential Information Form will be served with the Complaint, confidentially identifying the Plaintiff.

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4. According to District Attorney Steve Wagstaffe:

"I've been doing this for four and a half decades and I have never seen a case like this before...If proven guilty, sexual assault and elder abuse, just the harm to two elderly woman...being transported to undergo this, there is no civilized person that could be capable of doing this."

- 5. Plaintiff brings this action against Defendants American Medical Response West ("AMR West") and American Medical Response, Inc. ("AMR Inc.") (collectively "AMR Defendants") for violations of state laws, including, but not limited to, the Elder Abuse and Dependent Adult Civil Protection Act (Welfare and Institutions Code Section 15600 *et seq.*), and intentional infliction of emotional distress. Jane Doe seeks damages and recovery of fees, and costs. Plaintiff anticipates that discovery will uncover additional defendants and therefore lists these defendants as Doe Defendants 1-25. Plaintiff will move to amend the complaint once their identities are ascertained.
- 6. A copy of the criminal complaint against Ontiveros related to his sexual assault of Plaintiff Jane Doe and another victim is attached as **Exhibit 1** (complaint in *The People of the State of California v. Miguel Nieblas Ontiveros*, Case 23-SF-006516-A, San Mateo Superior Court). As reflected in **Exhibit 1**, Ontiveros is charged not just with the May 2022 assault of Plaintiff Jane Doe, but also with a similar assault of another elderly patient in December 2022. Ontiveros faces life in prison for the heinous assault of elderly patients left in his care by his employer.
- 7. Shockingly investigation shows that the AMR Defendants hired or retained Ontiveros despite a pending felony grand theft case related to his prior job with the South San Francisco Fire Department, which was filed in December 2020, and charged Ontiveros with felony theft between November 1, 2019 and March 26, 2020. See, Exhibit 2, The People of the State of California v. Miguel Nieblas Ontiveros, Case 20-NF-014642-A, San Mateo Superior Court.

³ https://www.smdailyjournal.com/news/local/paramedic-charged-for-sex-assault-of-an-elderly-woman-in-ambulance/article_462400bc-e63f-11ed-b86c-53809f5791ec.html (last accessed May 6, 2023).

⁴ Plaintiff intends to amend this Complaint to include additional causes of action for Negligence and Negligent Hiring and Supervision.

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charges against Ontiveros, and knew or should have known that he was a sexual predator but they allowed him to remain in their employ and allowed Ontiveros to be alone in a back of an AMR ambulance with Jane Doe, providing opportunity for Ontiveros to assault Jane Doe. 9. It has been reported that a boys club atmosphere exists at AMR in San Mateo

accusations against Ontiveros as a result of the May 2022 assault, and were aware of other felony

Plaintiff is informed and believes that the AMR Defendants were aware of the

County with instances of drug and alcohol use by AMR employees, which has been described as "like high school with lights and sirens." While there are undoubtedly some good people at AMR, the boys-gone-wild atmosphere permitted to thrive by management played a huge part in the multiple sexual assaults.

II. JURISDICTION AND VENUE

- 10. This Court has jurisdiction over the subject matter of this action because the claims asserted herein arise under state law.
- 11. Venue is proper in this County because Defendants are located and/or perform business in San Mateo County, and a substantial part of the acts, events, omissions, and transactions complained of herein occurred in San Mateo County.
- 12. Each Defendant has sufficient minimum contacts with California, or otherwise purposefully avails itself of the benefits and protections of California or does business in California so as to render the exercise of jurisdiction over it by the California courts consistent with traditional notions of fair play and substantial justice. The AMR Defendants operate ambulances in San Mateo County. AMR West is a California Company based in Burlingame, California. The perpetrator of the assault, Ontiveros, is a California resident living in Redwood City, California (San Mateo County). The sexual assault occurred in San Mateo County. The amount in controversy exceeds the jurisdictional minimum of this court.

III. THE PARTIES

Α. **Plaintiff**

13. At times relevant to this action, Plaintiff was a resident of Pacifica, California (San Mateo County). Jane Doe was born in 1942 and is 81 years old and was 80 years old at the time of

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the May 21, 2022 sexual assault. Jane Doe is an "elder adult" as defined in Welfare and Institutions Code § 15610.27.

В. **Defendants**

1. American Medical Response West

- 14. Defendant American Medical Response West (AMR-West) provides ambulance services in more than 15 Northern California counties, and employs dispatchers, call takers, drivers, emergency medical technicians (EMT's), paramedics and nurses. AMR-West is a California company. It has an office located at 1510 Rollins Rd, Burlingame, CA 94010 ("AMR San Mateo").
- 15. AMR-West contracts with the County of San Mateo to provide ambulance services to county residents such as Jane Doe.⁵



(AMR San Mateo Headquarters at 1510 Rollins Road, Burlingame, California)⁶

2. American Medical Response, Inc.

16. Defendant American Medical Response, Inc. ("AMR Inc.") is a medical transportation company operating in San Mateo County for over 30 years. It also has offices located at 1510 Rollins Rd, Burlingame, CA 94010.

⁵ AMR provides service in San Mateo County pursuant to the terms of its Emergency Ambulance Services with Advanced Life Support Ambulance Transport Agreement with San Mateo County, dated July 1, 2019. ("SMC-AMR Contract") The contract is available online: https://www.smchealth.org/sites/main/files/file-

attachments/20190514_agreement_911_ambulance_amr_executed.pdf (Last accessed May 12, 2023).

⁶ See, https://www.loopnet.com/property/1510-rollins-rd-burlingame-ca-94010/06081-025273080/ (last accessed May 5, 2023)

COMPLAINT

17. AMR Inc. provides and manages community-based medical transportation services, including emergency medical services, non-emergency and managed transportation, rotary and fixed-wing air ambulance services, and disaster response.

18. AMR Inc. operates in San Mateo County as "American Medical Response – San Mateo County":



19. AMR Inc. maintains a Facebook page for "American Medical Response – San Mateo" (https://www.facebook.com/AMRSanMateo/) with a San Mateo specific e-mail address of amr.san.mateo@amr.net. AMR at all times was governed by state and local laws and regulations regarding Ambulance Licensing, and EMS/Paramedic licensing, pursuant to the Health & Safety Code, including 1797 *et seq.* and Title 13 of the California Code of Regulations § 1107 and Title 22 of the California Code of Regulations.

3. <u>Doe Defendants</u>

1.3K likes • 1.5K followers

20. Plaintiff is ignorant of the true names and identities of those Defendants sued herein as Does 1 through 25, and for that reason has sued such Defendants by fictitious names. Plaintiff will seek leave of Court to amend this Complaint to identify said defendants upon discovery of their identities.

Q Search

⁷ See, https://www.facebook.com/AMRSanMateo/ (last accessed May 5, 2023).

LAW OFFICES COTCHETT, PITRE & MCCARTHY, LLP 21. Plaintiff is informed and believes, and therefore alleges, that each Defendant designated as a Doe was responsible for the events and happenings herein referred to, which proximately caused the injuries and damages to Plaintiff as alleged herein.

C. Alter Ego/Joint Venture

- 22. AMR Defendants actively participated in, authorized, and/or directed the operation of AMR and the conduct of its agents and employees through employment, training, and supervision of administrators, directors, and other employees at AMR San Mateo.
- 23. The AMR Defendants are sufficiently united in their ownership and financial interest, such that the acts of one must be imputed to the others. AMR Defendants are operated in such a way as to make their individual identities indistinguishable, and they are therefore alteregos of one another.
- 24. AMR Defendants' corporate and business forms were established for the sole purpose of insulating each other from liability, while simultaneously obscuring the corporate identities of those responsible for the care and services being provided by AMR in San Mateo. By creating these separate corporate bodies, the owners and/or beneficiaries of the management fees may hide from the public the details of the ownership, management, and control of other such facilities, to create the false appearance of each corporation being independent of one another. However, at all relevant times to this action, AMR Defendants had a unity of interest and ownership such that their separate identities did not meaningfully exist.
- 25. Therefore, the individual identities of the AMR Defendants are substantially identical, and have identical ties to, identical interests in, and identical control over AMR in San Mateo County. Moreover, AMR Defendants shared a common pool of management. Additionally, AMR Defendants operate pursuant to a common scheme and plan of operation which renders them a joint venture. Thus, AMR Defendants operated in a manner which could not meaningfully exist without the other as a joint venture sharing in profits and losses. This joint venture was operated in furtherance of the maximization of profits from the operation of AMR– San Mateo by underfunding and understaffing the facility, at the expense of its residents, while shielding assets from liability.

26. Plaintiff is informed and believes, and therefore alleges, that each Defendant designated as a Doe was responsible for the events and happenings herein referred to, which proximately caused the injuries and damages to Plaintiff as alleged herein.

27. Plaintiff is informed and believes, and on that basis alleges, that at all times mentioned herein, in doing the things hereinafter alleged, Defendants and each of them, were acting within the course and scope of said alternative personality, capacity, identity, agency, representation and/or employment and were within the scope of their authority, whether actual or apparent.

IV. <u>FACTUAL ALLEGATIONS</u>

- A. AMR Employee Ontiveros Sexually Assaulted Jane Doe When he Tried to

 Forcefully Orally Copulate her in an AMR Ambulance on May 21, 2022, While

 she was Injured and Immobile on an AMR Ambulance Stretcher
- 28. Jane Doe is 81 years old and currently lives under the care of her daughter. Prior to the assault, she resided in her home in Pacifica with her significant other of over 40 years. She is the matriarch of a loving family. Her two children are close to their mother and tend to her needs. Although physically frail, Jane Doe loved spending time with friends and family. She enjoyed a peaceful and happy life before the May 2022 assault, which set her into a downward spiral, both mentally and figuratively.
- 29. On the evening of May 21, 2022, Jane Doe suffered a potential stroke at her home in Pacifica. Her significant other, whom she had been with for over 40 years, was himself elderly and after consulting Jane Doe's doctor called an ambulance. The AMR ambulance took Jane Doe to Mills Peninsula.
- 30. Defendant Ontiveros and one or two other individuals whom Plaintiff Jane Doe believes to be an EMT and an ambulance driver were in the responding ambulance unit that day.
- 31. In the ambulance, Plaintiff recalls that her legs were left bare while she was immobile on the stretcher, and she was not fully covered with bedding, which left her freezing cold.

- 32. Ontiveros rode in the back of the vehicle while the EMT(s) drove the ambulance towards Mills Peninsula Hospital.
- 33. While they were enroute to the hospital, Ontiveros leaned his body towards Plaintiff Jane Doe despite there being ample space in the ambulance. According to statements made by Jane Doe upon arrival at Mills Peninsula, the paramedic (now identified as Miguel Ontiveros) tried to put his penis in Plaintiff's mouth and she had to fight him off.⁸
- 34. During this violent act, Jane Doe was strapped down and Ontiveros had his body pressed against her face.
- 35. Forced oral copulation is a heinous crime, but under the additional circumstances of the victim being elderly and restrained, and in distress, it was nothing short of a sadistic act.
- 36. Plaintiff Jane Doe felt like the harrowing experience would never end and was severely traumatized by the sexual aggression expressed by Ontiveros within the AMR ambulance.
- 37. Despite her frailty and advanced age, Plaintiff Jane Doe made sure she put up a tough fight against Ontiveros.
- 38. When Jane Doe's daughter visited her in the hospital, the latter noticed that Jane Doe was visibly shaken, under shock, and in severe distress. Jane Doe kept repeating the words "I want him in jail!" Jane Doe never wavered from her claim that she was assaulted and that she wanted "that ambulance guy arrested."
- 39. Unfortunately, at the time of the incident, Jane Doe's claims were not taken seriously, as they should have been, and no action was taken by AMR. Apparently, no action was taken by authorities because (unlike the December 2022 assault of the second victim) there was no DNA evidence. It was only when Ontiveros' semen was collected from the later victim that there was DNA proof against Ontiveros to hold him responsible for both assaults.
- 40. Following the May 21, 2022 assault, Jane Doe's physical and mental health has markedly declined. As an example, she had shared a bed for 40 years with her significant other. But after the sexual assault, she moved to a separate bedroom. Family remembers that Jane Doe

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⁸ Jane Doe did not know the name of the paramedic who assaulted her until the felony charges (for forced oral copulation) were filed against Ontiveros.

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the "service" – although it did give a hefty discount:

Page 1 of 3

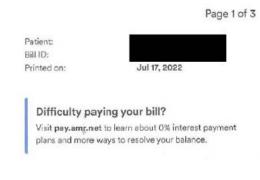
Despite the fact that its paramedic sexually assaulted Jane Doe, AMR still billed for

infections. She stopped bathing. She is now unable to enjoy life as she had prior to the assault. She

stopped washing and combing her hair and had to eventually cut her hair short to prevent

no longer lives with her former significant other and is reliant on her family for care.





Your total is \$268.73

You have one bill that is ready to pay. The total amount is due by Aug 16, 2022.



B. Felony Charges Against Ontiveros

42. On April 21, 2023, Ontiveros was charged with felony counts of forcible oral copulation of elderly women for his assault of Jane Doe in May 2022 and of another elderly San Mateo resident in December 2022. *See*, **Exhibit 1**. As to the May 21, 2022 assault of Jane Doe, the District Attorney alleges:

On or about May 21, 2022, in the County of San Mateo, State of California, the crime of Forcible Oral Copulation in violation of PC287(c)(2)(A), a Felony, was committed in that MIGUEL NIEBLAS ONTIVEROS did unlawfully participate in an act of oral copulation with JANE DOE #1 and did accomplish said act against said victim's will by force,

violence, duress, menace, and fear of immediate and unlawful bodily injury to said victim and to another...

- 43. The felony complaint charges related to Jane Doe include three enhancements:
 - Enhancement 1: multiple victims and victim tied and bound;
 - Enhancement 2: multiple victims and victim tied and bound;
 - Enhancement 3: the victim was particularly vulnerable.
- 44. Ontiveros' actions are not an isolated instance of an AMR employee sexually assaulting a patient using their services. AMR Defendants have enabled predators like Ontiveros to prey on patients using their emergency services.

C. AMR Representations to the Public

- 45. AMR has been the contract holder with San Mateo County since 1990, operating under the names of Baystar Medtrans/Laidlaw, AMR and AMR West. AMR entities have provided emergency ambulance services since January 1990 in San Mateo County. As previously noted, the current contract between AMR West (d/b/a American Medical Response) is dated July 1, 2019. AMR West's contract with the County requires AMR West to provide "efficient, effective and compassionate prehospital care" (*See*, SMC/AMR West Contract, Section 1.4(A)(5)). The contract also requires that employees be "competent" and that background checks be done.
- 46. AMR is required to have approximately 25 ambulances in its fleet and have up to 19 ambulances available on duty on any given day operating in San Mateo County.
 - 47. AMR represents to the public that:

The team at AMR has a single mission: making a difference by caring for people in need.

We are caregivers, first and foremost. Our promise to you is that we will treat our patients,

customers and teams with respect.

D. <u>AMR Has a Culture of Sexual Harassment and a History of Employees Sexually</u> <u>Abusing Patients in Ambulances</u>

48. Despite its promises to provide the best services, AMR has faced numerous lawsuits establishing a history of sexual predation during ambulance transport as well sexual abuse at workplaces throughout its offices in the United States.

- 49. At various points in 2009 and 2010, six women filed actions for damages against defendant American Medical Response Northwest, Inc. Each woman alleged that defendant had permitted Lannie Haszard, a paramedic in its employ, to sexually abuse each of them while they were vulnerable. *See Whalen v. Am. Med. Response Nw., Inc.*, 256 Or. App. 278; *Herring v. Am. Med. Response Northwest., Inc.*; *Wyers v. American Medical Response Northwest, Inc.*, 268 Or. App. 232 (2014). In total, thirty-five women came forward with allegations of sexual abuse against the EMT involved in these cases.
- 50. In 2020, several AMR New Haven employees filed a suit against the company for claims of sexual harassment in federal district court. The suit claims that there is a "culture" of enabling sexual harassment within the company. In response to the statement AMR posted a response that their "company completes background checks on every new hire to join our organization and we offer pathways for not only investigating complaints but reporting them...... Employees are educated about our Compliance Hotline upon hire in our New Employee Training program as well as with our subsequent mandatory annual training. We apply the appropriate level of discipline and will terminate employees if substantiated through our investigative processes..."
- 51. On or about March 2022, an AMR paramedic allegedly molested and assaulted a 14-year-old girl in an ambulance in Riverside County, California. The paramedic is on bail and is currently facing criminal charges in Riverside County, California.⁹

E. AMR Knew or Should Have Known That Ontiveros Was Unfit For Service

- 52. According to reports, AMR San Mateo has a "boys' club" atmosphere that is "like high school with lights and sirens." It is quite possible that there are many more victims of Ontiveros that have yet to come forward. The type of premeditated assaults reflected in the felony complaint (**Exhibit 1**) do not just happen in isolation. It is apparent that there is a pattern of negligent hiring, supervision and lack of oversight in operations at AMR.
- 53. Ontiveros was previously employed with the South San Francisco Fire Department until on or about July 16, 2020. He was dismissed from service because he had submitted

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⁹ https://www.latimes.com/california/story/2022-03-29/riverside-ambulance-worker-arrested-on-suspicion-of-sexually-assaulting-teenage-patient (last accessed May 6, 2023).

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fraudulent timecards and got paid \$15,000 for hours that he didn't work during a four-month period. AMR hired him despite his record. The felony charges for grand theft against Ontiveros are readily available through the San Mateo Superior Court's website. Further there was local news coverage of the charges against Ontiveros:



54. AMR knew or should have known that Ontiveros was charged with felony grand theft from his time as an employee of South San Francisco Fire Department. He was terminated in or about 2020. A simple google search revealed this fact, and any reasonable background check would have revealed this fact. Upon information and belief, AMR did not conduct a background check of Ontiveros when it hired him after he was terminated from the South San Francisco Fire Department. If it did in fact do a background check, the background check was deficient. It has been reported that AMR has a practice of employing EMTs/paramedics despite knowing that they have committed crimes, sometimes terminating them temporarily and the re-hiring them.

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F. AMR Kept Ontiveros in the Field After he Assaulted Jane Doe, Resulting in a

- 55. The gruesome attack against Plaintiff Jane Doe is not an isolated incident. Rather, as reflected in the felony complaint, Ontiveros sexually assaulted another 80-year-old woman during a hospital transport in December 2022. 10
- 56. AMR Defendants were aware of the accusations against Ontiveros as a result of Jane Doe's assault—but they chose to do nothing.
- 57. Through their acts and omissions, AMR Defendants allowed a sexual predator to roam free and prey on the elderly. AMR Defendants knew or should have known that Ontiveros was unfit to serve as a paramedic.
- 58. AMR Defendants failed to take reasonable steps to remove Ontiveros from active duty until it was too late.

G. AMR Put Profits Over Safety

- 59. AMR hired and kept Ontiveros on payroll despite numerous red flags because AMR has had well documented issues hiring and retaining EMTs and paramedics. It also has a history of putting profits over safety. One third of EMTs quit in 2021 and a 2022 study by the American Ambulance Association found that 39% of part-time EMT and 55% of part-time paramedic positions went unfilled because of a lack of qualified candidates. 11 AMR even announced that it was ending non-emergency transport in Los Angeles County. *Id.*
- 60. AMRs decision to keep Ontiveros in service, and riding in the back of ambulances as a paramedic was the result of corporate greed. AMR just wanted warm bodies to staff its ambulances and did not care whether it was employing a sexual predator like Ontiveros.
- 61. According to a recent job listing, AMR is looking for a paramedic in San Mateo (Burlingame): 12

¹⁰ See 23-CIV-02303, Jane Doe, C.C. vs. American Medical Response West, a California Corporation, et al; 23-SF-006516-A, The People of the State of California vs. Miguel Nieblas Ontiveros.

¹¹ See, https://www.cbsnews.com/news/emt-shortage-quit-ambulance/.

¹² https://www.indeed.com/q-AMR-l-San-Mateo,-CAjobs.html?vjk=52c2b3032212af2b&advn=6893225867368132 (last accessed May 12, 2023). See

According to the same website, AMR is also actively looking for EMTs in San

AMR is offering less pay to its local EMTs than is offered by the local In-N-Out franchises:

also, AMR's career's website, also listing paramedic jobs in Burlingame at \$31.09-46.72/hour for an average work week of 42 hours and 12 hour shifts, and Paramedic Basic in Burlingame for even less, at "\$27.21(Min) - \$33.17(Mid) - \$40.88(Max) per hour."

https://careers.gmr.net/amr/jobs/31356?lang=en-us and

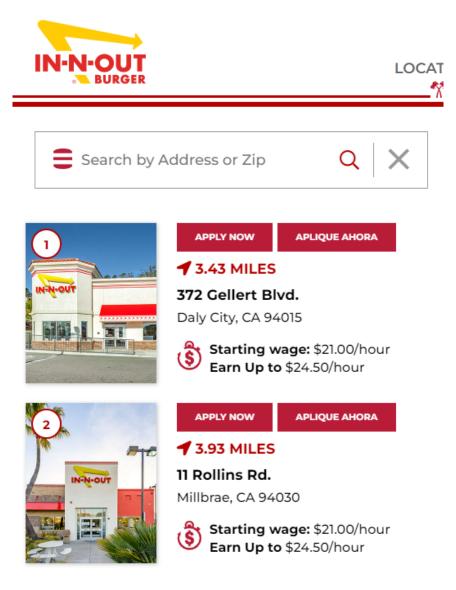
https://careers.gmr.net/amr/jobs/25625?lang=en-us (last accessed May 12, 2023)

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64. This is a travesty. According to the SMC-AMR Contract, AMR's per mile fee charged to patients is \$60.68/mile, grossly out of proportion with the \$46.72/hour high end of paramedic pay. Of course, the per mile fee is a small fraction of what AMR is entitled to charge patients such as Jane Doe, with ambulance trips regularly costing thousands of dollars. The SMC-AMR Contract contains and Exhibit 3 that details what AMR is permitted to charge in San Mateo County:

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EXHIBIT 3: Contractor's User Fees

Contractor shall be entitled to charge patient for the services rendered according to the patient fee schedule below:

Contractor's User Fees – 9-1-1 System	Effective 7/1/2019
Base Rate	\$2,431.24
Night Charge	\$234.76
Oxygen	\$234.76
Mileage	\$60.68/mile
12 Lead Cardiac Monitor	\$ 241.96
Glucometer Supplies	\$ 61.58
IV Intravenous Supplies	\$ 91.06
ECG Electrodes	\$ 65.77
Universal Precautions	\$ 121.47
Clinical Care EMS Technology Fee	\$ 1.50/mile
Treat, Non-transport rate	\$00.00

65. The ways in which AMR puts profits over safety were detailed in an anonymous email that was sent to officials and circulated within AMR (a partial copy is attached as **Exhibit 3** (we will seek a full copy in discovery)):

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MCCARTHY, LLP

Reply-To: ConcernedFirstResponder

ConcernedFirstResponder@protonmail.com

Date: Tuesday, September 21, 2021 at 12:47

AM

Subject: American Medical Response is

failing San Mateo County

I have been living in San Mateo County for almost four decades now, and have been working in and around the Emergency Medical System for almost as long. As a citizen of the county and as someone who has a rare insight into the inner workings of such a vital service from many different perspectives, I feel I wouldn't be giving this community what it deserves if I sat idly by while the life and safety of its people was threatened for monetary gain. The citizens of this county are in danger, specifically due to

66. As reflected in **Exhibit 3** "AMR management continually and willfully ignores the terms [of its agreement with San Mateo County], and is providing a substandard level of care to every citizen under their umbrella at the expense of the health and safety of their extremely hard working and severely underpaid employees." Tragically the e-mail states that on September 21, 2021 a patient was lost during a Cardiac Arrest as an ambulance was stuck in traffic – at a time when three AMR ambulances were diverted to for profit Inter-Facility Transports (IFT) transports. *Id.* The email also chronicles how AMR pads the numbers to give the County the impression that AMR is complying with its contract.

H. Plaintiff Has Suffered Trauma As The Result Of Ontiveros' Sexual Assault

67. The course of Jane Doe's life was entirely altered by the assault, Jane Doe was subjected to sexual assault (forced oral copulation) while immobile on a hospital stretcher. Jane

Doe is elderly and frail. She was enroute to a hospital after suffering a potential stroke at home. Ontiveros is a large man weighing approximately 250 pounds and standing approximately six feet tall. Because of the AMR Defendants' negligence, Jane Doe was left alone, locked in the back of the ambulance, for a prolonged period of time, with a sexual predator.

- 68. He stood towering over Jane Doe and attempted to put his penis into Jane Doe's mouth. Jane Doe fought hard against the assault.
- 69. Upon arrival at the hospital, Jane Doe was in a state of utter shock and repeatedly attempted to communicate that she had been sexually assaulted. She was isolated and terrified, having just been brutally assaulted.
- 70. Plaintiff has suffered trauma that will in all likelihood last the rest of her life due to the AMR Defendants' negligence and elder abuse. She no longer lives independently and no longer lives with her significant other of 40 years, as her health has markedly deteriorated. She now must be cared for by her children. In addition, Plaintiff is afraid to be in an ambulance.
- 71. She was once a lively, cheerful individual with a zeal for life. She now is fearful and suffers from emotional distress.

V. <u>CAUSES OF ACTION</u>

FIRST CAUSE OF ACTION

Dependent Adult Physical Abuse

(Pursuant to Welfare and Institutions Code § 15600 et seq.)

(AGAINST ALL DEFENDANTS)

- 72. Plaintiffs hereby re-allege and incorporate by reference each and every allegation set forth above, as if fully set forth herein.
- 73. At all relevant times, Jane Doe was an elder as defined by Welfare & Institutions Code § 15610.27. She was eighty-one years old at the time of the incident and Defendants' conduct.
- 74. The actions described above constitute abuse of an elder as defined by the Welfare and Institutions Code.

- 75. The above-mentioned acts of Ontiveros constituted 'Physical Abuse' and/or conduct likely to harm a senior within the meaning of Welfare and Institutions Code § 15610.63. Jane Doe did not give consent to Ontiveros to sexually touch her at any time while she was in the ambulance.
 - a. Ontiveros committed sexual battery as defined in Section 243.4 of the Penal Code.
 He engaged in forcible oral copulation with Plaintiff without her consent, knowing she was elderly, incapacitated, and could not give her consent.
 - b. Ontiveros committed oral copulation as defined in Section 287 of the Penal Code.
- 76. Defendants' conduct was a substantial factor in causing Plaintiff to suffer physical, emotional, and economic harm, as well as other damages in an amount to be determined according to proof. As a legal result of the alleged acts and omissions, Plaintiff incurred damages for pain and suffering.
- 77. Each defendant ratified the conduct of the other defendants and of Ontiveros. The specific facts set forth herein show Ontiveros knowingly and maliciously sexually assaulted and physically abused Jane Doe.
- 78. Ontiveros' actions arose out of the course and scope of his employment with AMR Defendants. AMR Defendants, including their officers, directors and managing agents, had advanced knowledge of the unfitness of Ontiveros and employed Ontiveros with a knowing disregard of the rights and safety of others, including Plaintiff and other members of the public. Defendants retained Ontiveros as an employee despite knowing: (1) he was unfit for the job; (2) he had pending felony grand theft charges from his prior job; and (3) he engaged in various practices that should have served as red flags that he was creating an environment to allow sexual assault; and, (4) that he had a propensity to assault patients in his care. AMR Defendants' failure to fire Ontiveros after Jane Doe's assault is ratification.
- 79. The conduct, acts, and omissions of Ontiveros, and AMR Defendants as alleged herein, are sufficient to show they are guilty of recklessness, oppression, fraud, and/or malice.
- 80. Plaintiff is entitled to compensatory damages, including general and special damages, in an amount to be determined according to proof at trial. As a legal result of

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Defendants' recklessness, malice, oppression and fraud, Plaintiff is entitled, in addition to compensatory damages, to an award of reasonable attorney fees and costs under Welfare and Institutions Code § 15657, to punitive damages under Civil Code § 3294 and to treble punitive damages under Civil Code § 3345.

SECOND CAUSE OF ACTION

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS (AGAINST ALL DEFENDANTS)

- 81. Plaintiff re-alleges and incorporates by reference herein each and every allegation contained herein above as though fully set forth and brought in this cause of action.
- 82. The conduct of the AMR Defendants and each Doe Defendant towards Plaintiff, as described herein, was outrageous and extreme.
- 83. A reasonable person would not expect or tolerate the sexual harassment, molestation, and abuse of Plaintiff and other similarly situated victims by Ontiveros, and Defendants' knowledge and reckless disregard of the probability that Ontiveros would commit sexual harassment and molestation of patients.
- 84. Defendants' conduct toward Plaintiff, as described herein, was outrageous and extreme.
- 85. A reasonable person would not expect or tolerate Defendants putting Ontiveros in a position of care of Plaintiff, which enabled Ontiveros to have access to elderly patients like the Plaintiff so that he could commit wrongful sexual acts, including the conduct described herein.
- 86. A reasonable person would expect Defendants to be capable of supervising their employees and stopping their employees, including Ontiveros, from committing wrongful sexual acts with customers. Defendants' conduct described herein was intentional and malicious and done for the purpose of causing or with the substantial certainty that Plaintiff would suffer humiliation, mental anguish, and emotional and physical distress.
- 87. Defendants' conduct was a substantial factor in causing Plaintiff to suffer severe emotional distress, as well as other damages in an amount to be determined according to proof.

McCarthy, LLP

COMPLAINT 20

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VI. PRAYER FOR RELIEF

Code § 3345.

1. For past, present and future non-economic damages in an amount to be determined at trial:

As a result of the above-described conduct, Plaintiff has suffered and continues to

In subjecting Plaintiff to the wrongful treatment herein described, the Defendants,

suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional

distress including embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment

of life; has suffered and continues to suffer and was prevented and will continue to be prevented

from performing daily activities and obtaining the full enjoyment of life, and/or has incurred and

will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

each of them willfully and maliciously with the intent to harm Plaintiff, and in conscious disregard

section 3294. Plaintiff is informed, and on that basis alleges, that these willful, malicious, and/or

oppressive acts, as alleged herein above, were ratified by the officers, directors, and/or managing

agents of the Defendants. Plaintiff is entitled to compensatory damages, including general and

special damages, in an amount to be determined according to proof at trial. As a legal result of

damages, to punitive damages under Civil Code § 3294 and to treble punitive damages under Civil

Defendants' malice, oppression and fraud, Plaintiff is entitled, in addition to compensatory

of Plaintiff's rights, so as to constitute malice and/or oppression under California Civil Code

- 2. For past, present and future special damages, including but not limited to economic damages, in an amount to be determined at trial;
 - 3. Any appropriate statutory damages;
 - 4. For costs of suit;
 - 5. Punitive damages, according to proof;
 - 6. For treble damages under Civil Code § 3345;
- 7. For interest based on damages, as well as pre-judgment and post-judgment interest as allowed by law;

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COMPLAINT 21

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LAW OFFICES
COTCHETT, PITRE &
MCCARTHY, LLP

24

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Exhibit 1

1 STEPHEN M. WAGSTAFFE, DISTRICT ATTORNEY County of San Mateo, State of California State Bar No. 78470 400 County Center, Third Floor Redwood City, CA 94063 By: Alpana D. Samant, Deputy District Attorney FILED 4 Telephone: (650) 363-4636 SAN MATEO COUNTY Attorney for Plaintiff 5 APR 2 1 2023 Clerk of the Superior Court 6 DEPUTY CLERK 7 8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA 9 IN AND FOR THE COUNTY OF SAN MATEO 10 **REPORT NO. HP20221655** THE PEOPLE OF THE STATE OF CALIFORNIA 11 DA CASE NO. 0883625 Plaintiff, 23SF006516A 12 FELONY COMPLAINT VS. 13 MIGUEL NIEBLAS ONTIVEROS 14 258 SAN CARLOS AV REDWOOD CITY, CA 94601 15 16 Defendant. 17 18 I, the undersigned, say, on information and belief, that in the County of San Mateo, State of 19 California: 20 **COUNT 1: PC287(c)(2)(A) (Felony)** On or about May 21, 2022, in the County of San Mateo, State of California, the crime of Forcible 21 Oral Copulation in violation of PC287(c)(2)(A), a Felony, was committed in that MIGUEL 22 NIEBLAS ONTIVEROS did unlawfully participate in an act of oral copulation with JANE DOE #1 23 and did accomplish said act against said victim's will by force, violence, duress, menace, and fear of 24 25

1 in 2 or 3 pr 4 1 5 sr 6 th 7 ar 8 sr 9 cr 10

immediate and unlawful bodily injury to said victim and to another. NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code Section 1202.1. NOTICE: Conviction of this offense will require you to register pursuant to Penal Code section 290. Willful failure to register is a crime. NOTICE: Adjudication as a ward of the court for this offense and a disposition to the California Youth Authority will require you to provide specimens and samples pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime. NOTICE: The above offense is a serious felony within the meaning of Penal Code Section 667.5(c)

ENHANCEMENT 1

PC667.61(b)/(E): Special Allegation-Sex Crimes - Aggravated Circumstances

It is further alleged, within the meaning of Penal Code section 667.61(b) and (e), as to defendant,

MIGUEL NIEBLAS ONTIVEROS, as to Count 1 that the following circumstances apply: multiple
victims and victim tied and bound.

ENHANCEMENT 2

PC667.61(b)/(E): Special Allegation-Sex Crimes - Aggravated Circumstances

It is further alleged, within the meaning of Penal Code section 667.61(b) and (e), as to defendant,

MIGUEL NIEBLAS ONTIVEROS, as to Count 1 that the following circumstances apply: multiple
victims and victim tied and bound.

ENHANCEMENT 3

PC1170(b)(2): Special Allegation - Felony with Circumstances in Aggravation

It is further alleged, as to Count 1 within the meaning of Penal Code section 1170(b)(2), that the following circumstance(s) apply, the victim was particularly vulnerable.

COUNT 2: PC287(c)(2)(A) (Felony)

On or about December 23, 2022, in the County of San Mateo, State of California, the crime of Forcible Oral Copulation in violation of PC287(c)(2)(A), a Felony, was committed in that MIGUEL NIEBLAS ONTIVEROS did unlawfully participate in an act of oral copulation with JANE DOE #2 and did accomplish said act against said victim's will by force, violence, duress, menace, and fear of immediate and unlawful bodily injury to said victim and to another. NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code Section 1202.1. NOTICE: Conviction of this offense will require you to register pursuant to Penal Code section 290. Willful failure to register is a crime. NOTICE: Adjudication as a ward of the court for this offense and a disposition to the California Youth Authority will require you to provide specimens and samples pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime. NOTICE: The above offense is a serious felony within the meaning of Penal Code Section 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

ENHANCEMENT 1

PC667.61(b)/(E): Special Allegation-Sex Crimes - Aggravated Circumstances

It is further alleged, within the meaning of Penal Code section 667.61(b) and (e), as to defendant,

MIGUEL NIEBLAS ONTIVEROS, as to Count 2 that the following circumstances apply: multiple
victims and victim tied and bound.

ENHANCEMENT 2

PC667.61(b)/(E): Special Allegation-Sex Crimes - Aggravated Circumstances

It is further alleged, within the meaning of Penal Code section 667.61(b)and (e), as to defendant, MIGUEL NIEBLAS ONTIVEROS, as to Count 2 that the following circumstances apply: multiple victims and victim tied and bound. **ENHANCEMENT 3** PC1170(b)(2): Special Allegation - Felony with Circumstances in Aggravation It is further alleged, as to Count 2 within the meaning of Penal Code section 1170(b)(2), that the following circumstance(s) apply, the victim was particularly vulnerable. NOTICE: Conviction of any of the above felony counts requires relinquishment of firearms, ammunition and ammunition feeding devices. Pursuant to Penal Code Section 1054.5(b), the People are hereby informally requesting that defendant(s) and his or her attorney provide to the People the discovery required by Penal Code Section 1054.3. This is a continuing request pursuant to the provisions of Penal Code Section 1054.7. I declare under penalty of perjury that the foregoing is true and correct except for those things stated on information and belief and those I believe to be true. Executed on April 21, 2023, at San Mateo County, California. **COMPLAINANT** ADS/ads

Exhibit 2

NTA

1	STEPHEN M. WAGSTAFFE, DISTRICT ATTORNEY	
	County of San Mateo, State of California	
2	State Bar No. 78470	P I I II
	1050 Mission Road	FILED
3	South San Francisco, CA 94080	SAN MATEO COUNTY
	By: Joseph L. Cannon, Deputy District Attorney	DEC
4	Telephone: (650) 877-5454	DEC 3 0 2020
_	Attorney for Plaintiff	Clerk of the Superior Court
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J.	EC 3 () 2023	
/5	THE SUPERIOR COURT	
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9	IN AND FOR THE COUNTY	OF SAN MATEO
	IN AND FOR THE COONTY	OF SAN MATLO
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- 0	THE PEOPLE OF THE STATE OF CALIFORNIA	REPORT NO. 20-0616-01
11	THE TEOLOG OF THE STATE OF CALL OF CALL	
	Plaintiff,	DA CASE NO. 0833101 20 N F 0 1 4 6 4 2
12	,	69 • 14 • 7 7
	vs.	FELONY COMPLAINT
13		
	MIGUEL NIEBLAS ONTIVEROS	
14	258 SAN CARLOS AV	
	REDWOOD CITY, CA 94601	
15		
	·	
16	Defendant.	
17		
18	I, the undersigned, say, on information and belief	, that in the County of San Mateo, State of
10		
19	California:	
20	GOVENTA DOLOG(1)(0) (F.1)	****
20	COUNT 1: PC487(b)(3) (Felony)	
21	0 1.4 Navarahan 1. 2010 and Navambar 20. 201	10 in the County of Son Moteo State of
21	On or between November 1, 2019 and November 30, 201	19, in the County of San Mateo, State of
22	Galifornia the spines of Grand That by Samuent Agent of	r Employee \$050 or more in violation of
	California, the crime of Grand Theft by Servant, Agent o	in Employee \$350 of mole in violation of
23	PC487(b)(3), a Felony, was committed in that MIGUEL	NIEBLAS ONTIVEROS did willfully and
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unlawfully take, steal and carry away certain personal property belonging to his/her employer to-wit: South San Francisco Fire Department having an aggregate value exceeding the \$950.

COUNT 2: PC487(b)(3) (Felony)

On or between December 1, 2019 and December 31, 2019, in the County of San Mateo, State of California, the crime of Grand Theft by Servant, Agent or Employee \$950 or more in violation of PC487(b)(3), a Felony, was committed in that MIGUEL NIEBLAS ONTIVEROS did willfully, and unlawfully take, steal and carry away certain personal property belonging to his/her employer to-wit: South San Francisco Fire Department having an aggregate value exceeding the \$950.

COUNT 3: PC487(b)(3) (Felony)

On or between January 1, 2020 and January 31, 2020, in the County of San Mateo, State of California, the crime of Grand Theft by Servant, Agent or Employee \$950 or more in violation of PC487(b)(3), a Felony, was committed in that MIGUEL NIEBLAS ONTIVEROS did willfully, and unlawfully take, steal and carry away certain personal property belonging to his/her employer to-wit:

South San Francisco Fire Department having an aggregate value exceeding the \$950.

COUNT 4: PC487(b)(3) (Felony)

On or between February 1, 2020 and February 29, 2020, in the County of San Mateo, State of California, the crime of Grand Theft by Servant, Agent or Employee \$950 or more in violation of PC487(b)(3), a Felony, was committed in that MIGUEL NIEBLAS ONTIVEROS did willfully, and unlawfully take, steal and carry away certain personal property belonging to his/her employer to-wit: South San Francisco Fire Department having an aggregate value exceeding the \$950.

COUNT 5: PC487(b)(3) (Felony)

On or between March 1, 2020 and March 26, 2020, in the County of San Mateo, State of California, the crime of Grand Theft by Servant, Agent or Employee \$950 or more in violation of PC487(b)(3), a Felony, was committed in that MIGUEL NIEBLAS ONTIVEROS did willfully, and unlawfully take,

steal and carry away certain personal property belonging to his/her employer to-wit: South San Francisco Fire Department having an aggregate value exceeding the \$950. NOTICE: Conviction of any of the above felony counts requires relinquishment of firearms, ammunition and ammunition feeding devices. Pursuant to Penal Code Section 1054.5(b), the People are hereby informally requesting that defendant(s) and his or her attorney provide to the People the discovery required by Penal Code Section 1054.3. This is a continuing request pursuant to the provisions of Penal Code Section 1054.7. I declare under penalty of perjury that the foregoing is true and correct except for those things stated on information and belief and those I believe to be true. Executed on December 23, 2020, at San Mateo County, California. JLC/jlc

1 STEPHEN M. WAGSTAFFE, DISTRICT ATTORNEY County of San Mateo, State of California State Bar No. 78470 400 County Center, Third Floor Redwood City, CA 94063 FILED By: Joshua T. Martin, Deputy District Attorney Telephone: (650) 363-4636 SAN MATEO COUNTY Attorney for Plaintiff DEC 2 1 2021 5 Clerk of the Superior Court 6 7 8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA 9 IN AND FOR THE COUNTY OF SAN MATEO 10 THE PEOPLE OF THE STATE OF CALIFORNIA REPORT NO. 20-0616-01 DA CASÉ NO. 0833101 11 Plaintiff, DOCKET NO. 20-NF-014642-A 12 VS. FELONY INFORMATION 13 MIGUEL NIEBLAS ONTIVEROS 258 SAN CARLOS AV 14 REDWOOD CITY, CA 94601 15 Defendant. 16 17 That said Defendant is accused by the District Attorney of the County of San Mateo of the 18 state of California, by this Information, of the following crime(s) in San Mateo County: 19 COUNT 1: PC487(b)(3) (Felony) 20 21 On or between November 1, 2019 and November 30, 2019, in the County of San Mateo, State of 22 California, the crime of Grand Theft by Servant, Agent or Employee \$950 or more in violation of 23 PC487(b)(3), a Felony, was committed in that MIGUEL NIEBLAS ONTIVEROS did willfully, and 24 unlawfully take, steal and carry away certain personal property belonging to his/her employer to-wit: 25 South San Francisco Fire Department having an aggregate value exceeding the \$950.

COUNT 2: PC487(b)(3) (Felony)

. II O

On or between December 1, 2019 and December 31, 2019, in the County of San Mateo, State of California, the crime of Grand Theft by Servant, Agent or Employee \$950 or more in violation of PC487(b)(3), a Felony, was committed in that MIGUEL NIEBLAS ONTIVEROS did willfully, and unlawfully take, steal and carry away certain personal property belonging to his/her employer to-wit: South San Francisco Fire Department having an aggregate value exceeding the \$950.

COUNT 3: PC487(b)(3) (Felony)

On or between January 1, 2020 and January 31, 2020, in the County of San Mateo, State of California, the crime of Grand Theft by Servant, Agent or Employee \$950 or more in violation of PC487(b)(3), a Felony, was committed in that MIGUEL NIEBLAS ONTIVEROS did willfully, and unlawfully take, steal and carry away certain personal property belonging to his/her employer to-wit: South San Francisco Fire Department having an aggregate value exceeding the \$950.

COUNT 4: PC487(b)(3) (Felony)

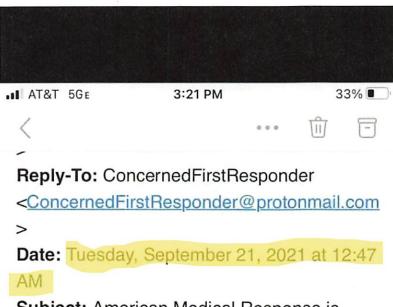
On or between February 1, 2020 and February 29, 2020, in the County of San Mateo, State of California, the crime of Grand Theft by Servant, Agent or Employee \$950 or more in violation of PC487(b)(3), a Felony, was committed in that MIGUEL NIEBLAS ONTIVEROS did willfully, and unlawfully take, steal and carry away certain personal property belonging to his/her employer to-wit: South San Francisco Fire Department having an aggregate value exceeding the \$950.

COUNT 5: PC487(b)(3) (Felony)

On or between March 1, 2020 and March 26, 2020, in the County of San Mateo, State of California,

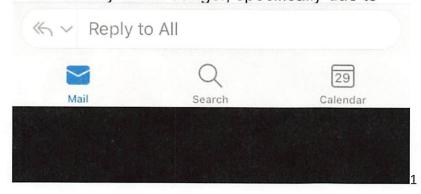
1	the crime of Grand Theft by Servant, Agent or Employee \$950 or more in violation of PC487(b)(3), a	
2	Felony, was committed in that MIGUEL NIEBLAS ONTIVEROS did willfully, and unlawfully take,	
3	steal and carry away certain personal property belonging to his/her employer to-wit: South San	
4	Francisco Fire Department having an aggregate value exceeding the \$950.	
5	NOTICE: Conviction of any of the above felony counts requires relinquishment of firearms,	
6	ammunition and ammunition feeding devices.	
7	Dated: December 20, 2021	
8	·	
9	STEPHEN M. WAGSTAFFE, DISTRICT ATTORNEY	
10	W. A-	
11	By Joshua T. Martin	
12	Deputy District Attorney	
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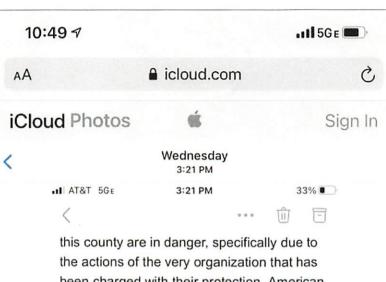
Exhibit 3



Subject: American Medical Response is failing San Mateo County

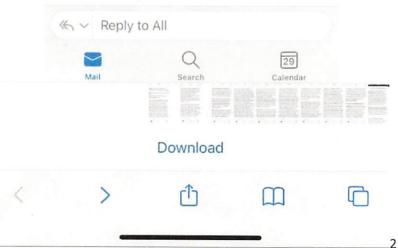
I have been living in San Mateo County for almost four decades now, and have been working in and around the Emergency Medical System for almost as long. As a citizen of the county and as someone who has a rare insight into the inner workings of such a vital service from many different perspectives, I feel I wouldn't be giving this community what it deserves if I sat idly by while the life and safety of its people was threatened for monetary gain. The citizens of this county are in danger, specifically due to

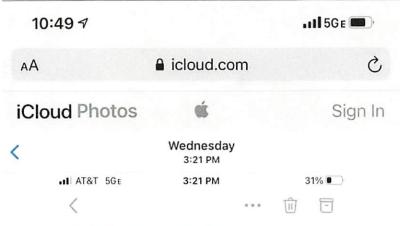




this county are in danger, specifically due to the actions of the very organization that has been charged with their protection. American Medical Response is purposefully and willfully cutting corners, potentially misappropriating taxpayer funds, exploiting their workers, and weakening an already fragile health care system. Management is negligent in their responsibilities and it could eventually cost lives.

American Medical Response is the sole 911
Advanced Life Support (ALS) ambulance
provider in San Mateo County, excluding the
cities of South San Francisco, which provides
its own service, and Woodside, which
provides the personnel but is supplied and
managed by AMR. AMR is a private, for profit
corporation responsible for all emergency
medical transportation from Brisbane to

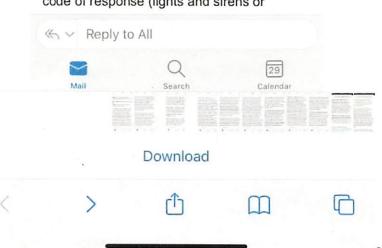


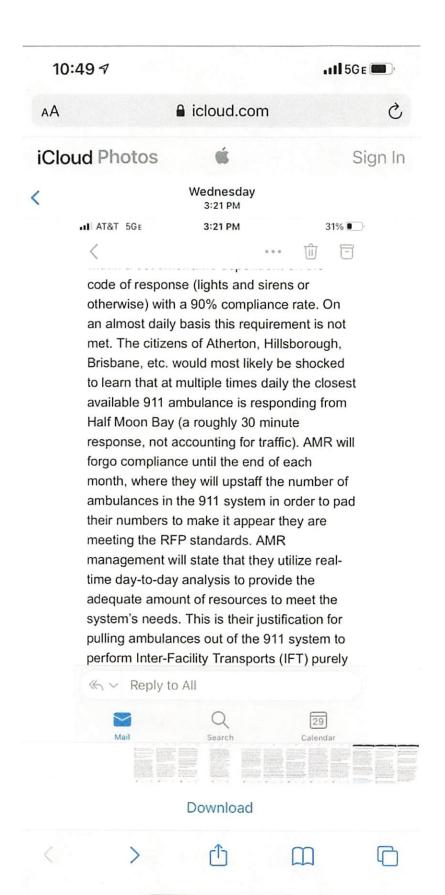


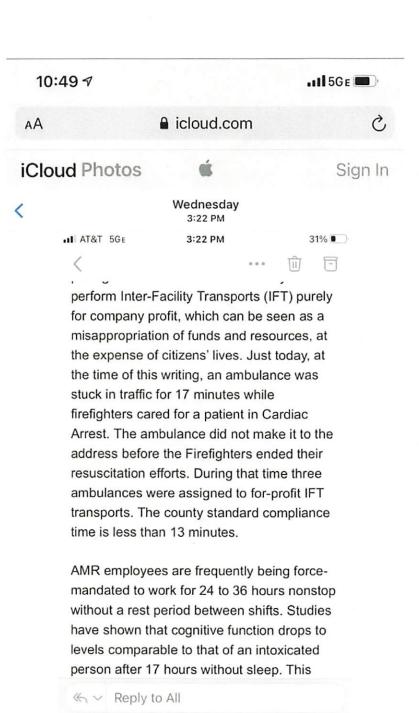
medical transportation from Brisbane to Menlo Park and Pescadero. AMR enters into contract with the County of San Mateo on a multi-year agreement to follow the terms of a Request For Proposal (RFP), that outlines the county's requirements and expectations.

AMR management continually and willfully ignores the terms of this agreement, and is providing a substandard level of care to every citizen under their umbrella at the expense of the health and safety of their extremely hard working and severely underpaid employees.

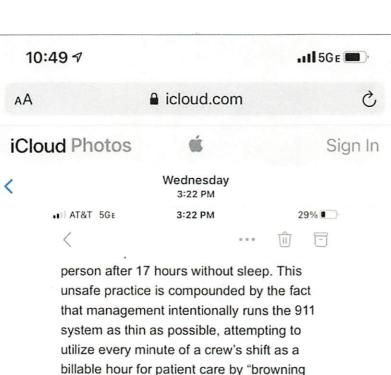
AMR is required by the terms of the RFP to have a fully equipped, staffed, and capable ambulance respond to the scene of a call within a set timeframe dependent on the code of response (lights and sirens or





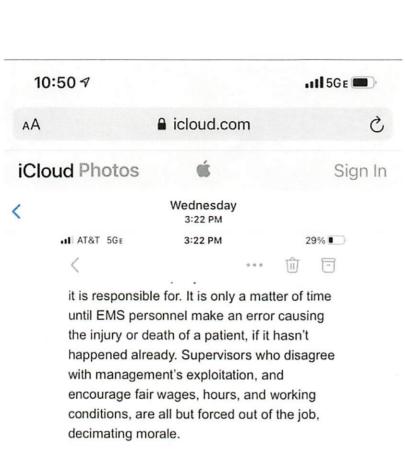




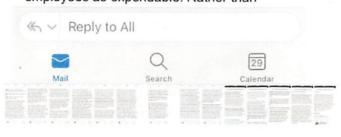


unsafe practice is compounded by the fact that management intentionally runs the 911 system as thin as possible, attempting to utilize every minute of a crew's shift as a billable hour for patient care by "browning out" ambulances, or removing them from the schedule entirely. Management will state that the Unit Hours Utilized (UHU) are low, and that crews get plenty of rest between calls, not counting the hundreds of miles driven each day to/from calls and throughout the county for readiness. The system levels are regularly completely depleted with no ambulances available whatsoever, to the extent that one EMS supervisor in the county has a license plate that reads "LVLZRO," as if it were a point of pride, and not the abject failure of the company to care for the citizens it is responsible for. It is only a matter of time

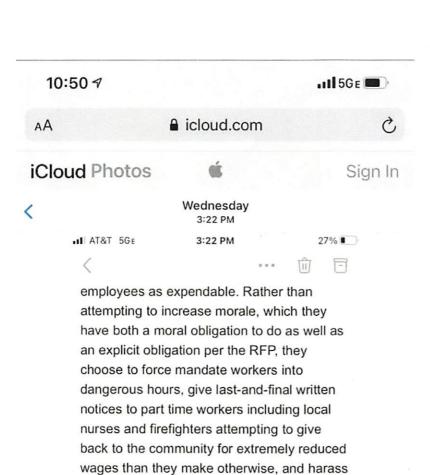




First responders suffer the effects of PTSD 50% more than the general public due to job stress, repeat exposure to trauma, extreme fatigue and an abysmal Critical Incident Stress Management (CISM) response, it is a miracle that San Mateo County has not mirrored its neighboring counties with first responder suicide, which Fire and EMS workers are 10 times as likely to contemplate than the general public. Management views employees as expendable. Rather than



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experienced workers. AMR literally had the law changed last year in order to be allowed to exploit their workers even more, with the added benefit of decreasing the amount of mental health services they were required to provide. Newly installed operations manager Rick Ornelas, who has been heard openly bragging about being known as a "Uniform

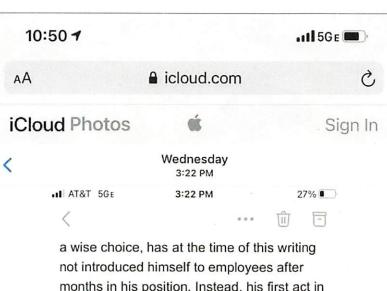
Nazi," which in this climate doesn't seem like a wise choice, has at the time of this writing

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a wise choice, has at the time of this writing not introduced himself to employees after months in his position. Instead, his first act in regards to the workforce, in a direct response to an employee being hospitalized during an unprecedented time in the medical field, was to say that all employees must work all required shifts, regardless of illness and doctor recommendations.

These are only a handful of the dozens of ways AMR violates the terms of their agreement with San Mateo County daily and endangers the lives of the people who live and work here. Almost daily, one can hear multiple employees separately state a variation of "if the public knew any of this, they would be livid." The citizens of San Mateo County deserve to know just how close they are to danger, thanks to the



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