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David W. Slayton,  
Executive Officer/Clerk of Court,  
By L. Bush, Deputy Clerk

6 Attorneys for Plaintiff  
7 Heidi Coen

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **FOR THE COUNTY OF LOS ANGELES**

10  
11 HEIDI COEN, individually and in her  
12 capacity as administrator of the estate of  
Issac Charlton,

13 Plaintiff,

14 v.

15 SIMONDS DETOX, a California stock  
corporation; KARINE TOROSYAN, an  
16 individual; CHRIS SMALL, M.D., an  
individual; ARI LABOWITZ, LMFT, an  
17 individual; DANELA K. BINSOL, LVN,  
an individual; SOBIA SYED, PMHNP, an  
18 individual; KENNETH GIORGI, PMHNP-  
BC, an individual; DIANA  
19 PASQUARELLO, PA-C, an individual;  
CHRISTOPHER DONO, PA-C, an  
20 individual; VICTORIA DE FELICE, an  
individual; and DOES 1 through 40,  
21 inclusive,

22 Defendants.

Case No. **26CHCV01833**

**HEIDI COEN'S COMPLAINT FOR:**

- 13 (1) **WRONGFUL DEATH SOUNDING  
IN NEGLIGENCE**
- 14 (2) **WRONGFUL DEATH SOUNDING  
IN PROFESSIONAL NEGLIGENCE**
- 15 (3) **SURVIVORSHIP**
- 16 (4) **VIOLATION OF THE ELDER  
ABUSE AND DEPENDENT ADULT  
CIVIL PROTECTIVE ACT**
- 17 (5) **NEGLIGENT HIRING,  
RETENTION, AND SUPERVISION**
- 18 (6) **UNFAIR COMPETITION**
- 19 (7) **FALSE ADVERTISING**
- 20 (8) **PREMISES LIABILITY**

**JURY TRIAL DEMANDED**

1 Heidi Coen, individually and in her capacity as administrator of the estate of Issac Charlton  
2 (“Plaintiff”), brings this action against Simonds Detox, Karine Torosyan, Chris Small, M.D., Ari  
3 Labowitz, LMFT, Danela K. Binsol, LVN, Sobia Syed, PMHNP, Kenneth Giogi, PMHNP-BC,  
4 Diana Pasquarello, PA-C, Christopher Dono, PA-C, Victoria De Felice, and Does 1 through 40,  
5 inclusive (collectively, “Defendants”) and alleges as follows.

### 6 INTRODUCTION

7 1. This case arises from a catastrophic and entirely preventable failure at a drug  
8 detoxification facility that promised safety, supervision, and protection—but instead delivered the  
9 opposite. Decedent Issac Charlton entered Defendant Simonds Detox seeking help to overcome  
10 substance use disorder. He was 21 years old, motivated to recover, and placed his trust—and his  
11 life—in the hands of Defendants.

12 2. Simonds held itself out as a “safe” and “structured” environment providing round-  
13 the-clock care for vulnerable individuals undergoing detoxification. Those representations were  
14 not merely aspirational—they were essential. Patients like Issac, in the throes of addiction and  
15 withdrawal, depend on strict supervision and a controlled environment free from access to drugs.

16 3. But at Simonds, those promises were a façade.

17 4. While Issac was in Defendants’ care, a Simonds employee offered to supply him  
18 with drugs, including while he was actively admitted in the detox program. Rather than protect  
19 Issac from relapse, Defendants allowed their own staff to undermine his treatment and expose him  
20 to the very substances that threatened his life. At the same time, Defendants failed to enforce their  
21 own policies, failed to adequately monitor Issac, and ignored clear signs that he was deteriorating.

22 5. Days later, Issac was found unresponsive in his room at the facility. He had  
23 overdosed on fentanyl and diazepam—lethal substances he never should have been able to access  
24 inside a detox center. He died there, alone, while under the supposed “round-the-clock”  
25 supervision of Defendants. Tragically, the Simonds employee who offered drugs to Issac also died  
26 of an overdose six months later.

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1 carries none of the formalities required of a corporation, that Simonds is so inadequately  
2 capitalized and underinsured that, when compared with the nature and risks inherent in operating  
3 an inpatient detoxification facility, its capitalization is illusory, and that Simonds is a mere  
4 instrumentality and conduit to further the personal interests of Torosyan, to the detriment of  
5 Plaintiff. As a result, there exists, and at all times mentioned herein existed, a unity of interest and  
6 ownership among Torosyan and Simonds such that the defendants have no genuine or separate  
7 existence. Plaintiff is further informed and believes that at all times relevant to this complaint,  
8 Torosyan, completely controlled, dominated, managed, and operated Simonds and intermingled  
9 her personal assets with the assets of Simonds to suit her convenience, such that the individuality  
10 or separateness of the defendants did not exist and it would be unfair to Plaintiff if the acts set forth  
11 in this complaint were treated as the those of Simonds alone.

12 13. Defendant Chris Small, M.D. (“Small”) is, and at all times relevant to this  
13 complaint was, a medical doctor licensed by the Medical Board of California and employed by  
14 Simonds. Plaintiff is informed and believes and, on that basis, alleges that Small is, and at all times  
15 relevant to this complaint was, an individual residing in San Diego County, California.

16 14. Defendant Ari Labowitz, LMFT (“Labowitz”) is, and at all times relevant to this  
17 complaint was, a licensed marriage and family therapist and licensed by the California Board of  
18 Behavioral Sciences (“BBS”) and employed by Simonds. Plaintiff is informed and believes and on  
19 that basis alleges that Labowitz is, and at all times relevant to this complaint was, an individual  
20 residing in Los Angeles County, California.

21 15. Defendant Danela K. Binsol, LVN (“Binsol”) is, and at all times relevant to this  
22 complaint was, a licensed vocation nurse by the California Board of Vocational Nursing and  
23 Psychiatric Technicians (“BVNPT”) and employed by Simonds. Plaintiff is informed and believes  
24 and on that basis alleges that Binsol is, and at all times relevant to this complaint was, an  
25 individual residing in Los Angeles County, California.

26 16. Defendant Sobia Syed, PMHNP (“Syed”) is, and at all times relevant to this  
27 complaint was, a licensed psychiatric-mental health nurse practitioner by the California Board or  
28 Registered Nursing (“BRN”) and employed by Simonds. Plaintiff is informed and believes and on

1 that basis alleges that Syed is, and at all times relevant to this complaint was, an individual residing  
2 in Orange County, California.

3 17. Defendant Kenneth Giorgi, PMHNP-BC (“Giorgi”) is, and at all times relevant to  
4 this complaint was, a licensed psychiatric-mental health nurse practitioner, board certified by the  
5 BRN and employed by Simonds. Plaintiff is informed and believes and on that basis alleges that  
6 Giorgi is, and at all times relevant to this complaint was, an individual residing in San Diego  
7 County, California.

8 18. Defendant Diana Pasquarello, PA-C (“Pasquarello”) is, and at all times relevant to  
9 this complaint was, a physician assistant, certified by the Physician Assistant Board (“PAB”) and  
10 employed by Simonds. Plaintiff is informed and believes and on that basis alleges that Pasquarello  
11 is, and at all times relevant to this complaint was, an individual residing in San Diego County,  
12 California.

13 19. Defendant Christopher Dono, PA-C (“Dono”) is, and at all times relevant to this  
14 complaint was, a physician assistant – certified by the PAB and employed by Simonds. Plaintiff is  
15 informed and believes and on that basis alleges that Dono is, and at all times relevant to this  
16 complaint was, an individual residing in San Diego County, California.

17 20. Plaintiff is informed and believes and on that basis alleges that Defendant Victoria  
18 De Felice (“De Felice”) is, and at all times relevant to this complaint, was, an individual residing  
19 in Los Angeles County, California. Plaintiff is informed and believes and on that basis alleges that  
20 De Felice owned the Subject Premises at the time Decedent resided there and at the time of his  
21 death.

22 21. Plaintiff is unaware of the true names and capacities of the defendants sued as Does  
23 1 through 40, inclusive, and therefore sues these defendants by fictitious names. Plaintiff will  
24 amend this Complaint to allege their true names and capacities when the same have been  
25 ascertained. Plaintiff is informed and believes, and on that basis alleges, that each of the  
26 fictitiously named defendants is responsible in some manner for the occurrences herein alleged and  
27 that Plaintiff’s damages were proximately caused by said defendants’ conduct.

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1 **JURISDICTION AND VENUE**

2 22. The wrongful conduct alleged against Defendants occurred in the County of Los  
3 Angeles, California. At all times relevant hereto, the conduct at issue was part of a continuous and  
4 ongoing pattern of behavior.

5 23. This Court is the proper forum to adjudicate this action because the wrongful acts  
6 that are the subject of this action occurred here, because injury to person occurred here, and  
7 because one more Defendants now reside in its jurisdictional area.

8 **GENERAL ALLEGATIONS**

9 **A. Issac Seeks Treatment for Substance Use Disorder**

10 24. Issac was a young man with a promising future who struggled with substance use  
11 disorder beginning in his teenage years. Despite these challenges, Issac was deeply committed to  
12 recovery.

13 25. In May 2025, following 500 days of sobriety, Issac relapsed and sought treatment at  
14 Simonds. Simonds holds itself out to the public as a facility that provides “comprehensive inpatient  
15 drug and alcohol rehabilitation for individuals who require round-the-clock medical care in a safe,  
16 structured, and deeply supportive environment.”<sup>1</sup> Simonds represented that it provided round-the-  
17 clock care, monitoring, and support to patients experiencing withdrawal from drugs and alcohol.

18 **B. Simonds Admits Issac for High-Risk Detoxification Requiring Close Supervision**

19 26. Issac was first admitted to Simonds on or about May 11, 2025. After briefly  
20 leaving, he returned on May 13, 2025, at which time he completed the intake process and was  
21 formally admitted into the program.

22 27. At the time of his admission, Issac reported a recent history of heavy substance use,  
23 including alcohol, cocaine, benzodiazepines, and opioids. Simonds’ own records reflected that  
24 Issac was at high risk for withdrawal complications and required close supervision and care. Issac  
25 expressed an urgent and sincere desire to achieve sobriety and regain stability in his life.

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<sup>1</sup> <https://simondsrecoverycenters.com/>.

1           28.     Simonds placed Issac in its detoxification program and prescribed various  
2 medications intended to manage withdrawal symptoms. Simonds further represented that it would  
3 provide continuous monitoring, including observation, testing, and supervision, to ensure Issac’s  
4 safety during this critical period. Simonds’ policies also purported to prohibit the possession or use  
5 of non-prescribed drugs and required monitoring measures such as searches, testing, and  
6 surveillance to prevent patients from accessing illicit substances.

7     **C.     A Simonds Employee Offers and Facilitates Access to Drugs for Issac**

8           29.     Despite these representations and obligations, Simonds failed to provide a safe and  
9 controlled environment. Instead, while Issac was in Simonds’ care and custody, Issac was able to  
10 obtain—likely from a Simonds employee—dangerous controlled substances that caused his death.

11          30.     Critically—and in direct violation of Simonds’ duties—a Simonds employee, Cade  
12 Shadowens (“Cade”), communicated with Issac both before and during his admission and offered  
13 to supply him with drugs.

14          31.     Text message communications show that on May 12, 2025, shortly before Issac’s  
15 readmission, Cade asked Issac if he needed Valium.

16          32.     After Issac was readmitted to Simonds, Cade continued these communications. On  
17 May 14, 2025, Cade asked Issac whether he wanted a “gummy” in addition to his prescribed  
18 medications and referenced that another Simonds employee would be on shift.

19          33.     On May 15, 2025, Cade again offered Issac additional substances and indicated that  
20 others at Simonds should not be made aware of these communications. Screenshots of these text  
21 messages can be found below.

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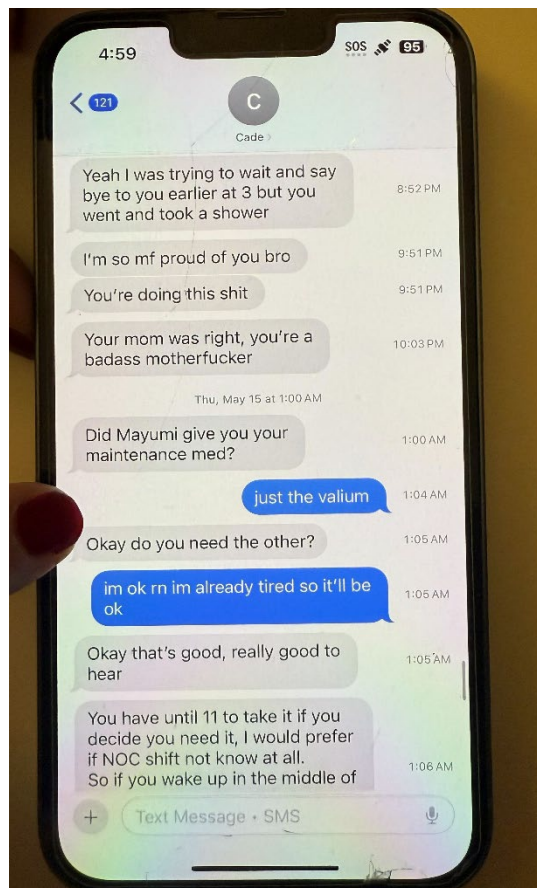
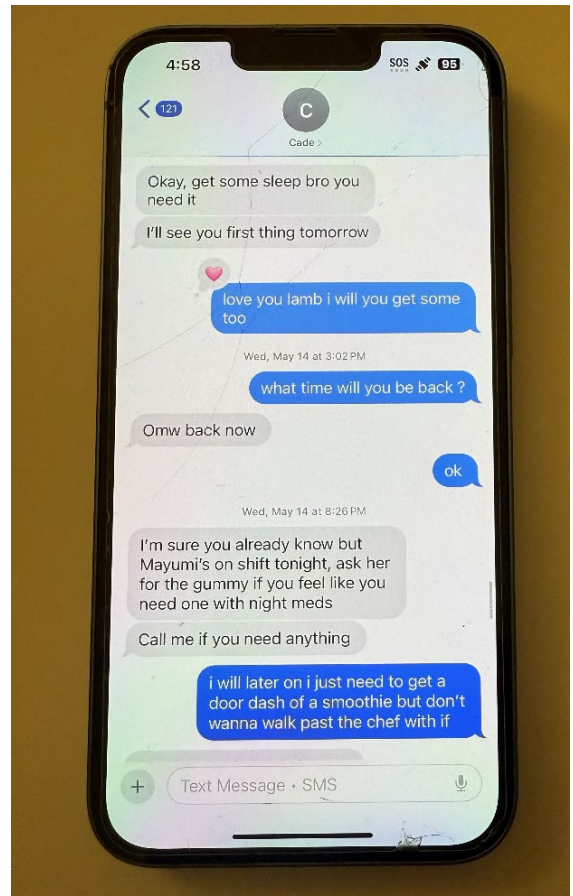
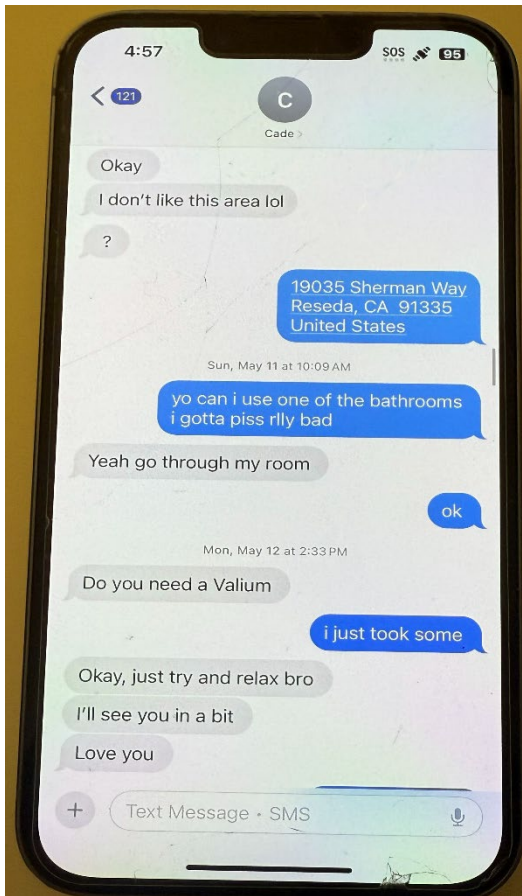
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1           34.     These communications unambiguously demonstrate that a Simonds employee  
2 actively facilitated and encouraged Issac’s access to unauthorized drugs while he was a patient in  
3 the facility.

4           35.     Tellingly, Cade died on November 6, 2025 of an overdose involving fentanyl,  
5 diazepam, and clonazepam. Plaintiff is informed and believes and on that basis alleges that Cade  
6 remained employed by Simonds at the time of his death.

7     **D.     Issac Exhibits Signs of Deterioration and Simonds Fails to Intervene**

8           36.     Simonds failed to enforce its own policies designed to prevent drugs from entering  
9 the facility. Although Simonds’ policies called for monitoring, testing, and searches to detect and  
10 deter substance use, Simonds performed only limited drug and alcohol testing during Issac’s stay.  
11 Moreover, Simonds failed to adequately supervise Issac despite his known vulnerability, history of  
12 relapse, and ongoing withdrawal symptoms.

13           37.     During his stay, Issac exhibited clear signs of distress and deterioration. Medical  
14 and nursing records documented ongoing withdrawal symptoms, including anxiety, tremors,  
15 insomnia, chills, and body aches.

16           38.     Thereafter, nursing staff observed that Issac appeared sedated, lethargic, and unable  
17 to maintain conversation or eye contact. He demonstrated delayed responses, impaired functioning,  
18 and abnormal presentation. These symptoms were consistent with potential substance ingestion  
19 and should have prompted heightened monitoring and intervention.

20           39.     Nevertheless, Simonds failed to take appropriate action. Issac was not adequately  
21 monitored, tested, or protected from access to illicit substances. Despite clear warning signs,  
22 Simonds allowed Issac to remain in a compromised and vulnerable state without the level of  
23 supervision required under the circumstances.

24     **E.     Issac Overdoses and Dies While in Simonds’ Care**

25           40.     On May 18, 2025, while still in Simonds’ care and custody, Issac was found  
26 unresponsive in his room. Shortly before his discovery, staff observed him lying in bed. Minutes  
27 later, he was discovered unresponsive, with evidence of vomiting nearby. Emergency services  
28

1 were called, and life-saving measures were attempted, but Issac was pronounced dead shortly  
2 thereafter.

3 41. The Los Angeles County Medical Examiner determined that Issac's death was  
4 caused by the combined effects of fentanyl and diazepam—powerful central nervous system  
5 depressants. The presence of these substances, particularly fentanyl, demonstrates that Issac had  
6 access to and ingested illicit drugs while under Simonds' supervision.

7 **F. Simonds' Conduct Was a Substantial Factor in Causing Issac's Death**

8 42. Issac's death was not an unavoidable tragedy. It was the direct and foreseeable  
9 result of Simonds' failures, including its failure to supervise, monitor, and protect a vulnerable  
10 patient undergoing detoxification. Most egregiously, Simonds' own employee facilitated Issac's  
11 access to drugs, undermining the very purpose of the treatment program and placing Issac at  
12 extreme risk of harm.

13 43. At all relevant times, Issac was a dependent adult entrusted to Simonds' care. He  
14 relied on Simonds to provide a safe environment, free from the very substances that endangered  
15 his life. Instead, Simonds breached its duties in multiple respects, including by failing to enforce  
16 its policies, failing to supervise its staff, and allowing its employee to supply drugs to a patient in  
17 detox.

18 44. As a direct result of Defendants' conduct, Issac died on May 18, 2025. Plaintiff has  
19 suffered, and continues to suffer, profound damages as a result of her son's tragic and untimely  
20 death.

21 **FIRST CAUSE OF ACTION**

22 **Wrongful Death Sounding in Negligence**

23 (Against Simonds, Torosyan, and Does 1 through 10)

24 45. Plaintiff repeats and realleges each and every allegation set forth in the foregoing  
25 paragraphs of this complaint as though set forth fully herein.

26 46. Simonds represented itself as a detoxification facility capable of providing a safe  
27 and supportive environment for recovery from addiction and substance use disorder. Accordingly,  
28 Simonds owed a duty to adequately supervise Decedent, and to deliver treatments, services, and

1 support with the same level of skill, knowledge, training, and experience that a reasonably prudent  
2 drug and alcohol rehabilitation facility would provide under similar circumstances. Decedent  
3 entrusted Simonds with his health and safety.

4 47. This entrustment created a duty of care on the part of Simonds to exercise  
5 appropriate care, supervision, oversight, control, advice, guidance, and other services to safeguard  
6 Decedent's health and well-being.

7 48. Simonds breached these duties of care while Decedent was in Simonds's care.

8 49. As a direct and proximate result of Simonds's breaches, Decedent perished, and  
9 Plaintiff suffered harm, the extent of which will be proven at trial.

10 50. The conduct of Simonds was malicious, oppressive, and demonstrated a conscious  
11 disregard for the rights of Plaintiff and Decedent. This conduct entitles Plaintiff to recover from  
12 Simonds punitive damages sufficient to punish it and to deter similar conduct in the future.

## 13 **SECOND CAUSE OF ACTION**

### 14 **Wrongful Death Sounding in Professional Negligence**

15 (Against Small, Labowitz, Binsol, Syed, Giorgi, Pasquarello, Dono, and Does 11 through 20)

16 51. Plaintiff repeats and realleges each and every allegation set forth in the foregoing  
17 paragraphs of this complaint as though set forth fully herein.

18 52. As licensed professionals holding themselves out to the general public as competent  
19 and skilled medical providers, Small, Labowitz, Binsol, Syed, Giorgi, Pasquarello, Dono, and  
20 Does 11 through 20, inclusive (collectively, the "Medical Professionals") had a duty to treat Issac  
21 with the requisite degree of knowledge, skill and competence ordinarily exercised by other  
22 members of their profession, taking into account the existing state of knowledge and practice in  
23 nursing and medical care, in the course of examining, diagnosing, treating, prescribing and/or  
24 caring for Issac.

25 53. Plaintiff is informed and believe and on that basis alleges that the Medical  
26 Professionals breached these duties.

27 54. Plaintiff is further informed and believe that Small negligently: (a) failed to  
28 supervise the other medical professionals under his supervision in connection with Issac's care at

1 Simonds; and (b) failed to provide competent services to Simonds, which resulted in Issac  
2 receiving negligent care during his detoxification process at Simonds.

3 55. As a direct result of the Medical Professionals' negligence, Issac died and Plaintiff  
4 incurred damages in an amount to be proven at trial.

5 56. The conduct of the Medical Professionals was malicious, oppressive, and  
6 demonstrated a conscious disregard for the rights of Plaintiff and Decedent. This conduct entitles  
7 Plaintiff to recover from the Medical Professionals punitive damages sufficient to punish them and  
8 to deter similar conduct in the future.

9 **THIRD CAUSE OF ACTION**

10 **Survivorship**

11 (Against All Defendants)

12 57. Plaintiff repeats and realleges each and every allegation set forth in the foregoing  
13 paragraphs of this complaint as though set forth fully herein.

14 58. Plaintiff is informed and believe and on that basis alleges that Decedent suffered  
15 bodily injury and economic losses as a result of the wrongful conduct set forth herein. Had  
16 Decedent survived, he would have personal claims for damages against Defendants.

17 59. This survival action is brought pursuant to Code of Civil Procedure section 377.20,  
18 *et seq.*

19 **FOURTH CAUSE OF ACTION**

20 **Violation of the Elder Abuse and Dependent Adult Civil Protective Act**

21 (Against Simonds, Torosyan, and Does 1 through 10)

22 60. Plaintiff repeats and realleges each and every allegation set forth in the foregoing  
23 paragraphs of this complaint as though set forth fully herein.

24 61. Simonds is a facility that provides, among other services, supervision, guidance,  
25 oversight, and support to individuals seeking to maintain sobriety and reintegrate into society.  
26 Simonds accepted custody of Decedent for detoxification. Decedent was a "dependent adult" as  
27 defined by Welfare and Institutions Code section 15610.23. Simonds admitted Decedent for  
28 inpatient treatment.

1           62.     Substance use disorder is a disease that “affects a person’s brain and behavior and  
2 leads to an inability to control the use of a legal or illegal drug or medicine,” despite harmful  
3 consequences. (Drug Addiction (Substance Use Disorder)), Mayo Clinic  
4 <<https://www.mayoclinic.org/diseases-conditions/drug-addiction/symptoms-causes/syc-20365112>  
5 [as of Feb. 12, 2025].) More specifically, addiction is a chronic brain disease wherein addictive  
6 behaviors “supplant healthy, self-care-related behaviors,” and, if left untreated, can lead to further  
7 disability or premature death. (Public Policy Statement: Definition of Addiction, American Society  
8 of Addiction Medicine (2011), p. 1 (“ASAM”).)

9           63.     Addiction is more than a behavioral disorder. It affects a person’s cognition,  
10 emotions, relationships, and ability to function in daily life. Simply put, substance use disorder is  
11 not a function of choice, and it impacts nearly every moment of an afflicted person’s life.

12           64.     Simonds, having assumed the caretaking and custodial care of Decedent, and as a  
13 part of that custodial care, agreed to and assumed the duty of supplying the regulation that  
14 Decedent could not provide for himself, to vigilantly provide care and supervision for Decedent’s  
15 health and sobriety, and to protect Decedent from safety hazards.

16           65.     As described above, Simonds breached this duty by failing to protect Decedent  
17 from health and safety hazards.

18           66.     Simonds’s actions set forth above constitute “neglect” and “recklessness” within the  
19 meaning of Welfare and Institutions Code section 15610.57 and the Elder Abuse and Dependent  
20 Adult Civil Protective Act and constitute either a deliberate disregard of the high degree of  
21 probability that an injury would occur, or a conscious choice as to a course of action with  
22 knowledge of the serious danger involved in such action.

23           67.     As a direct result of the conduct alleged herein, Decedent died, and Plaintiff was  
24 harmed in an amount to be proven at trial.

25           68.     Simonds’ conduct was malicious, oppressive, and demonstrated a reckless disregard  
26 of the rights of Plaintiff and Decedent. This conduct entitles Plaintiff to recover from Simonds  
27 punitive damages sufficient to punish it and to deter similar conduct in the future.

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1 **FIFTH CAUSE OF ACTION**

2 **Negligent Hiring, Retention, and Supervision**

3 (Against Simonds, Torosyan, and Does 1 through 10)

4 69. Plaintiff repeats and realleges each and every allegation set forth in the foregoing  
5 paragraphs of this complaint as though set forth fully herein.

6 70. Plaintiff is informed and believe and on that basis alleges that Simonds negligently  
7 hired, trained, and supervised their staff, including Cade, and those staff responsible for monitoring  
8 clients at the detoxification facility.

9 71. Simonds knew or should have known that individuals admitted to the facility for  
10 detoxification, including Decedent, were vulnerable and would seek to obtain the substances to  
11 which they are addicted.

12 72. Despite this knowledge, Simonds failed to hire and retain competent trained  
13 personnel and failed to properly supervise staff, resulting in Decedent obtaining the substances  
14 which led to his overdose and death.

15 73. This unfitness and incompetence harmed Plaintiff.

16 74. Simonds's negligence in hiring, supervising, and retaining these employees was a  
17 substantial factor in causing Plaintiff's harm.

18 75. Simonds' conduct was malicious, oppressive, and demonstrated a reckless disregard  
19 of the rights of Plaintiff and Decedent. This conduct entitles Plaintiff to recover from Simonds  
20 punitive damages sufficient to punish it and to deter similar conduct in the future.

21 **SIXTH CAUSE OF ACTION**

22 **Unfair Competition**

23 (Against Simonds, Torosyan, and Does 21 through 30)

24 76. Plaintiff repeats and realleges each and every allegation set forth in the foregoing  
25 paragraphs of this complaint as though set forth fully herein.

26 77. Business and Professions Code section 17200, *et seq.* (the "UCL") prohibits any  
27 "unlawful, unfair, or fraudulent business act or practice." Simonds and Does 21 through 30,  
28

1 inclusive (collectively, the “Advertising Defendants”) have engaged in unlawful, unfair, and  
2 fraudulent business acts and practices in violation of the UCL.

3 78. The acts of the Advertising Defendants set forth above constitute a violation of the  
4 “unlawful” prong of the UCL.

5 a. Specifically, the Advertising Defendants violated the following laws  
6 governing state-licensed residential detoxification programs:

- 7 i. Health and Safety Code section 11857, *et seq.*;
- 8 ii. California Code of Regulations, Title 9, Division 4, Chapter 5,  
9 Section 10563, governing “Accountability”;
- 10 iii. California Code of Regulations, Title 9, Division 4, Chapter 5,  
11 Section 10568, governing “Resident Records”;
- 12 iv. California Code of Regulations, Title 9, Division 4, Chapter 5,  
13 Section 10569, governing “Personal Rights”;
- 14 v. DHCS Alcohol and/or Other Drug Program Certification Standards  
15 11000, governing “Detoxification Services”;
- 16 vi. DHCS Alcohol and/or Other Drug Program Certification Standards  
17 11030, governing “Residential Detoxification Practices”;
- 18 vii. DHCS Alcohol and/or Other Drug Program Certification Standards  
19 12000, governing “Program Administration”;
- 20 viii. DHCS Alcohol and/or Other Drug Program Certification Standards  
21 12020, governing “Client Files”; and
- 22 ix. DHCS Alcohol and/or Other Drug Program Certification Standards  
23 16000, governing “Participant Rights.”

24 b. In addition to the loss of her son, Plaintiff lost money as a result of the  
25 unlawful conduct of the Advertising Defendants in the form of payments made to Simonds for  
26 detoxification services, as well as burial, funeral, and related costs associated with Issac’s death.

27 79. The Advertising Defendants violated the unfair prong of the UCL by making false  
28 and misleading representations to Decedent and to Plaintiff. The Advertising Defendants’ business

1 practice of making false and misleading representations is immoral, unethical, oppressive, and  
2 injurious to California consumers and businesses. The harm that these acts and practices cause  
3 greatly outweighs any benefits associated with them. Plaintiff and Decedent relied on the truth of  
4 these representations in deciding to admit Decedent to Simonds. In addition to the loss of a  
5 beloved family member, Plaintiff lost money as a result of this unlawful conduct in the form of  
6 payments made to Defendants for detoxification services, as well as burial, funeral, and related  
7 costs associated with Decedent's passing.

8 80. The Advertising Defendants violated the fraudulent prong of the UCL because the  
9 representations made to Decedent and Plaintiff were likely to, and did in fact, mislead reasonable  
10 consumers. Plaintiff and Decedent relied on the truth of these representations in deciding to admit  
11 Decedent to Simonds. In addition to the loss of her son, Plaintiff lost money as a result of this  
12 unlawful conduct in the form of payments made to Simonds for detoxification services, as well as  
13 burial, funeral, and related costs associated with Decedent's death.

14 81. As a result of the unlawful and unfair business practices described above, Plaintiff,  
15 pursuant to California Business and Professions Code section 17203, is entitled to restitution and  
16 disgorgement of all monies paid to Defendants and recovery of all burial, funeral, and related costs  
17 associated with Decedent's death.

18 82. Plaintiff is further entitled to an order enjoining Defendants' business practice of  
19 making false and misleading statements to California consumers.

## 20 **SEVENTH CAUSE OF ACTION**

### 21 **False Advertising**

22 (Against Simonds, Torosyan, and Does 21 through 30)

23 83. Plaintiff repeats and realleges each and every allegation set forth in the foregoing  
24 paragraphs of this complaint as though set forth fully herein.

25 84. Business and Professions Code section 17500, *et seq.* (the "False Advertising Law"  
26 or "FAL") prohibits inducing the public to enter any obligation through the dissemination of  
27 information that is untrue or misleading which is known or should be known to be untrue or  
28 misleading.



1 maintain the premises in a reasonably safe condition and to take reasonable steps to protect against  
2 foreseeable harm, including foreseeable criminal acts of third parties.

3 93. Simonds operated as an inpatient detoxification center and it was reasonably  
4 foreseeable that illicit drugs could enter and be distributed on the Subject Premises.

5 94. The Premises Defendants breached their duties by negligently owning, leasing,  
6 occupying, managing, and/or controlling the Subject Premises in a manner that facilitated, and  
7 failed to prevent, the introduction and distribution of illicit drugs within the facility.

8 95. On or about May 18, 2025, Decedent overdosed and died at the Subject Premises  
9 and while in the care of Simonds.

10 96. Plaintiff was harmed as a direct result of the Premises Defendants' negligent use of  
11 the Subject Premises.

12 97. The Premises Defendants' conduct was malicious, oppressive, and demonstrated a  
13 reckless disregard of the rights of Plaintiff and Decedent. This conduct entitles Plaintiff to recover  
14 from Simonds punitive damages sufficient to punish it and to deter similar conduct in the future.

15 **PRAYER FOR RELIEF**

16 WHEREFORE, Plaintiff respectfully request that this Court enter judgment against  
17 Defendants and in favor of Plaintiff and grant the following relief:

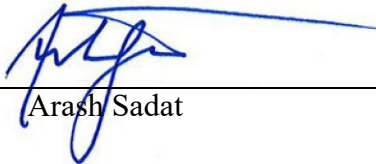
- 18 A. An award of general damages in an amount to be proven at trial;
- 19 B. An award of special damages in an amount to be proven at trial;
- 20 C. An award of punitive damages in an amount to be proven at trial;
- 21 D. An award of burial, funeral, and related damages in an amount to be proven at trial;
- 22 E. An award of wrongful death damages, including the loss of love, society, affection,  
23 (present and future) in an amount to be proven at trial;
- 24 F. An award of attorneys' fees pursuant to Welfare and Institutions Code section  
25 15657;
- 26 G. An award of attorneys' fees pursuant to Code of Civil Procedure section 1021.5;
- 27 H. An award of costs of suit incurred herein;
- 28 I. Prejudgment and post-judgment interest at the maximum legally allowable rate; and

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J. Such other relief that the Court deems just and proper.

Dated: May 6, 2026

MILLS SADAT DOWLAT LLP

By:   
Arash Sadat

Attorneys for Plaintiff  
Heidi Coen