

**EXHIBIT A**  
**(Summons and Complaint)**

## SUMMONS (CITACION JUDICIAL)

FOR COURT USE ONLY  
(SOLO PARA USO DE LA CORTE)

**E-FILED**  
4/4/2022 6:44 PM  
Clerk of Court  
Superior Court of CA,  
County of Santa Clara  
22CV396691  
Reviewed By: P. Newton  
Envelope: 8670581

**NOTICE TO DEFENDANT:  
(AVISO AL DEMANDADO):**

Suncrest Health Services, LLC, a Utah limited liability company

**YOU ARE BEING SUED BY PLAINTIFF:  
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

Alex Mauricio, an individual, and Bristol Hospice, LLC, a Utah limited liability company

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), or by contacting your local court or county bar association. NOTE: The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. ¡AVISO! Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:

(El nombre y dirección de la corte es):

Santa Clara Superior Court  
191 North First street, San Jose, CA 95113

CASE NUMBER: (Número del Caso):

22CV396691

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: (El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Tiara Quintana | GOODWIN PROCTER LLP | Three Embarcadero Center, San Francisco, CA 94111 | (415) 733-6000

DATE:

(Fecha) ~~April 4, 2022~~ 4/4/2022 6:44 PM

Clerk, by

(Secretario) P. Newton

, Deputy

(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).



**NOTICE TO THE PERSON SERVED:** You are served

1.  as an individual defendant.
2.  as the person sued under the fictitious name of (specify):
3.  on behalf of (specify):  
under:  CCP 416.10 (corporation)  CCP 416.60 (minor)  
 CCP 416.20 (defunct corporation)  CCP 416.70 (conservatee)  
 CCP 416.40 (association or partnership)  CCP 416.90 (authorized person)  
 other (specify):
4.  by personal delivery on (date):

E-FILED  
4/4/2022 6:44 PM  
Clerk of Court  
Superior Court of CA,  
County of Santa Clara  
22CV396691  
Reviewed By: P. Newton

1 BRADFORD J. SMITH  
(*pro hac vice* application forthcoming)  
2 *BSmith@goodwinlaw.com*  
JOSEPH R. ROCKERS  
3 (*pro hac vice* application forthcoming)  
*JRockers@goodwinlaw.com*  
4 GOODWIN PROCTER LLP  
100 Northern Avenue  
5 Boston, MA 02210  
Telephone: (617) 570-1000  
6 Facsimile: (617) 523-1231

7 TIARA QUINTANA (SBN 315783)  
*TQuintana@goodwinlaw.com*  
8 GOODWIN PROCTER LLP  
Three Embarcadero Center  
9 San Francisco, CA 94111  
Telephone: (415) 733-6000  
10 Facsimile: (415) 677-9041

11 Attorneys for Plaintiffs  
ALEX MAURICIO and  
12 BRISTOL HOSPICE, LLC

13  
14 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
15 FOR THE COUNTY OF SANTA CLARA

22CV396691

16 ALEX MAURICIO, an individual, and )  
17 BRISTOL HOSPICE, LLC, a Utah limited )  
18 liability company, )  
19 Plaintiff, )  
20 v. )  
21 SUNCREST HEALTH SERVICES, LLC, a Utah )  
22 limited liability company, )  
23 Defendant. )

CASE NO.:  
**COMPLAINT FOR  
DECLARATORY RELIEF,  
VIOLATIONS OF UNFAIR  
COMPETITION UNDER  
CALIFORNIA BUSINESS &  
PROFESSIONS CODE § 17200,  
COMMON LAW UNFAIR  
COMPETITION, AND  
CALIFORNIA LABOR CODE §  
432.5**

1 Plaintiffs Alex Mauricio and Bristol Hospice, LLC (“Bristol”) (together, “Plaintiffs”)  
2 allege on personal knowledge as to their own activities and on information and belief as to the  
3 activities of others, against Defendant Suncrest Health Services, LLC (“Suncrest”), as follows:

4 **THE PARTIES**

5 1. Mr. Mauricio is the current Chief Strategy Officer of Bristol and the former  
6 President of Enterprise Growth of Suncrest. Mr. Mauricio is, and at all times herein mentioned  
7 was, a resident of the State of California.

8 2. Bristol is a Utah limited liability company with its principal place of business in  
9 Salt Lake City, Utah, managing and operating hospice programs throughout the United States,  
10 including the State of California.

11 3. Suncrest is a Utah limited liability company with its principal place of business in  
12 Salt Lake City, Utah. Suncrest is a competitor of Bristol and, upon information and belief,  
13 conducts business throughout the United States, including in the State of California.

14 **JURISDICTION AND VENUE**

15 4. This Court has jurisdiction over this matter pursuant to California Code of Civil  
16 Procedure section 410.10. Mr. Mauricio resides in California and Bristol regularly conducts  
17 business in California, including providing hospice services in California and employing  
18 individuals in California.

19 5. Suncrest is a Utah limited liability company with its principal place of business in  
20 Utah. Upon information and belief, Suncrest regularly conducts business in California, including  
21 offering hospice services in California, directing advertisement and marketing campaigns into  
22 California, and employing individuals in California at various points in time.

23 6. Venue is proper in this Court pursuant to California Code of Civil Procedure  
24 section 395(a). Suncrest does not reside in the State of California and Plaintiffs may designate  
25 the action be tried in the superior court in any county. Accordingly, Plaintiffs designate the  
26 action be adjudicated in the County of Santa Clara.

27  
28

1 **GENERAL ALLEGATIONS**

2 7. Bristol currently operates and manages hospices in Arizona, California, Colorado,  
3 Florida, Georgia, Hawaii, Louisiana, Michigan, Oregon, Texas, Utah, Washington, and  
4 Wisconsin. It has eighteen different hospice locations in California.

5 8. Suncrest also provides hospice and home healthcare services throughout the  
6 United States, including California. Bristol and Suncrest are direct competitors.

7 9. Hospice care is a niche industry and relies in large part on establishing and  
8 maintaining relationships with healthcare professionals, nursing homes and other agencies  
9 through the services provided by hospice and home healthcare staff. Because highly competent  
10 and trusted employees are a critical component of the operation of Bristol's business, Bristol  
11 identifies, recruits, and hires employees who have experience in the hospice and healthcare  
12 industry. It also seeks leadership who can identify such staff to support its network of customers  
13 and referrals. For these reasons, Bristol extended an offer of employment to Mr. Mauricio to  
14 work for Bristol in California as its Chief Strategy Officer beginning on or about March 1, 2022.

15 10. Before joining Bristol, Mr. Mauricio was employed by Suncrest. Mr. Mauricio  
16 began his employment with Suncrest on or about September 1, 2018, in the position of Corporate  
17 Director of Marketing. Mr. Mauricio's primary responsibilities involved identifying new areas  
18 to expand Suncrest's operations and building up those operations, including identifying,  
19 qualifying, soliciting and hiring local sales and operations staff.

20 11. As a condition of his employment with Suncrest, Mr. Mauricio and Suncrest  
21 entered into an Employment Agreement, dated August 21, 2018 (the "2018 Employment  
22 Agreement"), regarding the terms and conditions of Mr. Mauricio's employment. The 2018  
23 Employment Agreement included a post-employment anti-raiding covenant prohibiting Mr.  
24 Mauricio from engaging in the following conduct for eighteen months following his termination  
25 of employment for any reason (the "Anti-Raiding Covenant"): "*hire, engage, or attempt to hire*  
26 *or engage* or solicit for hire or engagement any person who, either on the date of such activity is,  
27 *or at any time within twenty-four (24) months prior to the date of such activity was*, an employee  
28 or contractor of [Suncrest] or any of its subsidiaries." (Emphasis added).

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.