

**MEMORANDUM**

TO: JAS

FROM: JST

DATE: JUNE 1, 1994

CASE/MATTER:

RE: Lesson Number One: Always Check Your Facts

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See Minasian v. Sapse (1978) 80 Cal.App.3d 823, 825:

In July 1971, Minasian instituted a municipal court action against Sapse to recover \$300 owed as attorney's fees. On August 12, Minasian received the answer, counter-claims and cross-complaint filed by Sapse in which it was alleged that Minasian's process server had acted in such a way that Sapse's wife, who had recently undergone surgery, was agitated and emotionally shocked so as to cause her to be in a severe state of hypertension as a direct result of which she died. Sapse claimed damages for wrongful death in the amount of \$50,000. Minasian was emotionally distressed by these allegations. On August 16, he received notice of motion for an order allowing amendment of Sapse's pleadings to show that his wife had not died....