



1 **COMP**  
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3 Nevada Bar No. 3402  
4 TRACY A. EGLET, ESQ.  
5 Nevada Bar No. 6419  
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CASE NO: A-20-814863-C  
Department 22

8 **EGLET ADAMS**  
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14 **DISTRICT COURT**  
15 **CLARK COUNTY, NEVADA**

16 RICHARD AIKENS; MICHELLE AIKENS;  
17 MICHAEL AIKENS, a minor, by and through  
18 his natural parents, RICHARD AIKENS and  
19 MICHELLE AIKENS; BRIANNA AIKENS,  
20 a minor, by and through her natural parents,  
21 RICHARD AIKENS and MICHELLE  
22 AIKENS; DEJOY WILSON; JOHNATHAN  
23 WILSON; RETOR JONES JR.; HELEN  
24 CLARK; VICTOR COTTON; CHRISTINA  
25 FARINELLA; HAILU ADDIS; DENICIA  
26 JOHNSON, PAUL WISE; CARMAN  
27 MCCANDLESS; PARALEE MINTER;  
28 AUDREY PALMER; SARA RACHAL;  
KELVIN SALYERS; JOE AGUILERA;  
DAYSHENA THOMAS; ANDREW  
THOMAS a minor, by and through his natural  
parent, DAYSHENA THOMAS; SANDRA  
JONES, TIACHERELL DOTSON;  
A'LAYNA DOTSON, by and through her  
natural parent TIACHERELL DOTSON;  
CLEA ROBERTS; NELSON BLACKBURN;  
FLOYD GUENTHER; DOYLE MYERS;  
LAURA EDWARDS; ROY BACKHUS;  
JIMMY BROWN-LACY; DELMARKAS  
COMBS; CHARLES COUCH; STEPHANIE  
COUCH; ASHLEY ROGERS a minor, by and  
through her natural parent CHERYL  
ROGERS; CHERYL ROGERS; MATTHEW  
SYKES; THELMA SYKES; DAVID  
BARBARA; EDDIE ELLIS; C EUGENE  
FRAZIER; JEREMY GORDON; SCOTTI  
HUGHES and TOMMY CALDERILLA,

Case No.:  
Dept. No.:

**COMPLAINT AND DEMAND FOR  
JURY TRIAL**

**Exemption Requested: Damages Exceed  
\$50,000.00**

EGLET ADAMS 

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Plaintiffs,

vs.

LAS VEGAS DRAGON HOTEL, LLC, a limited-liability company, dba ALPINE MOTEL; ADOLFO G. OROZCO, an individual; EDS ELECTRONICS INC., a domestic corporation; TSI SALES & INSTALLATION LLC, dba TSI, a domestic limited-liability company; TSI MONITORING LLC, dba TSI, a domestic limited-liability company; TOTAL SAFETY INCORPORATED, a domestic corporation; STANLEY SECURITY SOLUTIONS INC., a foreign corporaion; COOPER WHEELOCK INC., a domestic corporation; AES CORPORATION, a domestic corporation; DOE 1 through 40; ROE CORPORATIONS 1 through 40; DOE INSTALLERS 1 through 40; DOE CONTRACTORS 1 through 40; ROE SELLERS 1 through 40; DOE INDIVIDUALS 1 through 40; DOE EMPLOYEES 1 through 40; ROE DESIGNERS 1 through 40; ROE MANUFACTURERS 1 through 40; ROE HORN STROBE DESIGNERS 1 through 40; ROE HORN STROBE MANUFACTURERS 1 through 40; ROE HORN STROBE DISTRIBUTORS 1 through 40; ROE WIRELESS RADIO ALARM TRANSMISSION SYSTEM DESIGNERS 1 through 40; ROE WIRELESS RADIO ALARM TRANSMISSION SYSTEM MANUFACTURERS 1 through 40; ROE WIRELESS RADIO ALARM TRANSMISSION SYSTEM DESIGNERS 1 through 40; ROE COMPONENT PART DESIGNERS 1 through 40; ROE COMPONENT PART MANUFACTURERS 1 through 40; ROE COMPONENT PART DISTRIBUTORS 1 through 40; DOE NEGLIGENT EMPLOYERS 1 through 40; DOE NEGLIGENT EMPLOYEES 1 through 40; ROE NEGLIGENT CORPORATIONS 1 through 40,

Defendants.

1 COME NOW Plaintiffs, by and through their attorneys, ROBERT T. EGLET, ESQ., and  
2 ROBERT A. ADAMS, ESQ. of the law firm EGLET ADAMS, hereby demand a trial by jury and  
3 complain and allege against Defendants as follows:

4 **I.**

5 **INTRODUCTION**

6 About 4:00 a.m. on December 21, 2019, a fire broke out at the Alpine Motel Apartments,  
7 a three-story apartment complex owned and operated by Defendant LAS VEGAS DRAGON  
8 HOTEL, LLC dba ALPINE MOTEL (hereinafter ALPINE MOTEL) and its managing member  
9 Defendant, ADOLFO G. OROZCO (hereinafter OROZCO), in downtown Las Vegas, Nevada. It  
10 is believed that a stove used for heating purposes was the origin of the fire. It is further believed  
11 there were no operating sprinklers and the fire alarms were inadequate and/or not functioning  
12 properly or at all, thereby allowing the fire to spread throughout the building trapping residents  
13 inside the building. When residents attempted to evacuate many found that the rear exit door had  
14 been barricaded. Several were found trapped in the building, unable to escape, while others  
15 resorted to jumping from the second and third story windows to escape the flames. At the time of  
16 the fire, the ALPINE MOTEL was considered low income housing. Defendants ALPINE MOTEL  
17 and OROZCO were downtown Las Vegas “slumlords” that took advantage of people under severe  
18 financial constraints.

19 The following Plaintiffs resided at the ALPINE MOTEL located at 213 North 9<sup>th</sup> Street,  
20 Las Vegas, Nevada 89101 on December 21, 2019:

21 Plaintiff, RICHARD AIKENS was present in the building at the time of the fire, sustained  
22 personal injury, severe emotional distress, and property damage and/or loss of property;

23 Plaintiff, MICHELLE AIKENS was not present in the building at the time of the fire. She  
24 has sustained a loss of consortium and property damage and/or loss of property;

25 Plaintiff, MICHAEL AIKENS, minor child of RICHARD and MICHELLE AIKENS, was  
26 present in the building and did sustain severe emotional distress including Post Traumatic Stress  
27 Disorder;

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1 Plaintiff, BRIANNA AIKENS, minor child of RICHARD and MICHELLE AIKENS, was  
2 present in the building and did sustain severe emotional distress including Post Traumatic Stress  
3 Disorder;

4 Plaintiff, DEJOY WILSON was present in the building at the time of the fire, sustained  
5 personal injury, severe emotional distress, a loss of consortium and property damage and/or loss  
6 of property;

7 Plaintiff, JOHNATHAN WILSON was present in the building at the time of the fire,  
8 sustained personal injury, severe emotional distress, a loss of consortium and property damage  
9 and/or loss of property;

10 Plaintiff, RETOR JONES JR. was present in the building at the time of the fire, sustained  
11 personal injury, severe emotional distress, Post Traumatic Stress Disorder, and property damage  
12 and/or loss of property;

13 Plaintiff, HELEN CLARK was present in the building at the time of the fire, sustained  
14 personal injury, severe emotional distress, and property damage and/or loss of property;

15 Plaintiff, VICTOR COTTON was present in the building at the time of the fire, sustained  
16 personal injury, severe emotional distress, and property damage and/or loss of property;

17 Plaintiff, CHRISTINA FARINELLA was present in the building at the time of the fire,  
18 sustained personal injury, severe emotional distress, and property damage and/or loss of property;

19 Plaintiff, HAILU ADDIS was present in the building at the time of the fire, sustained  
20 personal injury, severe emotional distress, and property damage and/or loss of property;

21 Plaintiff, DENICIA JOHNSON was present in the building at the time of the fire, sustained  
22 personal injury, severe emotional distress, and property damage and/or loss of property;

23 Plaintiff, PAUL WISE was present in the building at the time of the fire, sustained personal  
24 injury, severe emotional distress, and property damage and/or loss of property;

25 Plaintiff, CARMAN MCCANDLESS was present in the building at the time of the fire,  
26 sustained personal injury, severe emotional distress, and property damage and/or loss of property;

27 Plaintiff, PARALEE MINTER was present in the building at the time of the fire, sustained  
28 personal injury, severe emotional distress, and property damage and/or loss of property;

1 Plaintiff, AUDREY PALMER was present in the building at the time of the fire, sustained  
2 personal injury, severe emotional distress, and property damage and/or loss of property;

3 Plaintiff, SARA RACHAL was present in the building at the time of the fire, sustained  
4 personal injury, severe emotional distress, and property damage and/or loss of property;

5 Plaintiff, KELVIN SALYERS was present in the building at the time of the fire, sustained  
6 personal injury, severe emotional distress, and property damage and/or loss of property;

7 Plaintiff, JOE AGUILERA was present in the building at the time of the fire, sustained  
8 personal injury, severe emotional distress, and property damage and/or loss of property;

9 Plaintiff, DAYSHENA THOMAS was present in the building at the time of the fire,  
10 sustained personal injury, severe emotional distress, and property damage and/or loss of property;

11 Plaintiff, ANDREW THOMAS a minor child of DAYSHENA THOMAS was present in  
12 the building and did sustain severe emotional distress including Post Traumatic Stress Disorder;

13 Plaintiff, SANDRA JONES was present in the building at the time of the fire, sustained  
14 personal injury, severe emotional distress, and property damage and/or loss of property;

15 Plaintiff, TIACHERELL DOTSON was present in the building and did sustain severe  
16 emotional distress including Post Traumatic Stress Disorder and property damage and/or loss of  
17 property;

18 Plaintiff, A'LAYNA DOTSON, a minor child of TIACHERELL DOTSON was present in  
19 the building and did sustain severe emotional distress including Post Traumatic Stress Disorder;

20 Plaintiff, CLEA ROBERTS was present in the building at the time of the fire, sustained  
21 personal injury, severe emotional distress, a loss of consortium, and property damage and/or loss  
22 of property;

23 NELSON BLACKBURN was present in the building at the time of the fire, sustained  
24 personal injury, severe emotional distress, a loss of consortium and property damage and/or loss  
25 of property;

26 Plaintiff, FLOYD, GUENTHER was present in the building and did sustain person injury,  
27 severe emotional distress including Post Traumatic Stress Disorder and property damage and/or  
28 loss of property;

1 Plaintiff, DOYLE MYERS was present in the building and did sustain person injury, severe  
2 emotional distress including Post Traumatic Stress Disorder, and property damage and/or loss of  
3 property;

4 Plaintiff, LAURA EDWARDS was present in the building and did sustain person injury,  
5 severe emotional distress including Post Traumatic Stress Disorder, and property damage and/or  
6 loss of property;

7 Plaintiff, ROY BACKHUS was present in the building and did sustain severe emotional  
8 distress, possible personal injury, and property damage and/or loss of property;

9 Plaintiff, JIMMY BROWN-LACY was present in the building and did sustain severe  
10 emotional distress, possible personal injury and property damage and/or loss of property;

11 Plaintiff, DELMARKAS COMBS was present in the building and did sustain severe  
12 emotional distress, possible personal injury and property damage and/or loss of property;

13 Plaintiff, CHARLES COUCH was present in the building and did sustain severe emotional  
14 distress, possible personal injury and property damage and/or loss of property;

15 Plaintiff, STEPHANIE COUCH was present in the building and did sustain severe  
16 emotional distress, possible personal injury and property damage and/or loss of property;

17 Plaintiff, ASHLEY ROGERS a minor child of CHERYL ROGERS was present in the  
18 building and did sustain severe emotional distress and possible personal injury;

19 Plaintiff, CHERYL ROGERS was present in the building and did sustain severe emotional  
20 distress, possible personal injury and property damage and/or loss of property;

21 Plaintiff, MATTHEW SYKES was present in the building and did sustain severe emotional  
22 distress, possible personal injury, a loss of consortium and property damage and/or loss of  
23 property;

24 Plaintiff, THELMA SYKES was present in the building and did sustain person injury,  
25 severe emotional distress including Post Traumatic Stress Disorder, and property damage and/or  
26 loss of property;

27 Plaintiff, DAVID BARBARA, fortunately, was not present in the building during the fire,  
28 but did sustain loss of property;

1 Plaintiff, EDDIE ELLIS, fortunately, was not present in the building during the fire, but  
2 did sustain loss of property;

3 Plaintiff, C EUGENE FRAZIER, fortunately, was not present in the building during the  
4 fire, but did sustain loss of property;

5 Plaintiff, JEREMY GORDON, fortunately, was not present in the building during the fire,  
6 but did sustain loss of property; and

7 Plaintiff, SCOTTI HUGHES, fortunately, was not present in the building during the fire,  
8 but did sustain loss of property;

9 Plaintiff, TOMMY CALDERILLA was present in the building and did sustain severe  
10 emotional distress, possible personal injury and property damage and/or loss of property.

11 **II**

12 **PARTIES AND JURISDICTION**

13 That all facts and circumstances that give rise to the subject lawsuit occurred in Clark  
14 County, Nevada.

15 1. Plaintiffs, RICHARD AIKENS and MICHELLE AIKENS husband and wife, are,  
16 and at all times relevant hereto, were residents of the County of Clark, State of Nevada and resided  
17 at the Alpine Motel, located at 213 N. Ninth Street, Las Vegas, Nevada 89101.

18 2. Plaintiff, MICHAEL AIKENS, a minor and the son of RICHARD AND  
19 MICHELLE AIKENS is, and at all times relevant hereto, was a resident of the County of Clark,  
20 State of Nevada and resided at the Alpine Motel, located at 213 N. Ninth Street, Las Vegas, Nevada  
21 89101.

22 3. Plaintiff, BRIANNA AIKENS, a minor and the daughter of RICHARD AND  
23 MICHELLE AIKENS is, and at all times relevant hereto, was a resident of the County of Clark,  
24 State of Nevada and resided at the Alpine Motel, located at 213 N. Ninth Street, Las Vegas, Nevada  
25 89101.

26 4. Plaintiffs, DEJOY WILSON and JOHNATHAN WILSON husband and wife, are,  
27 and at all times relevant hereto, were residents of the County of Clark, State of Nevada and resided  
28 at the Alpine Motel, located at 213 N. Ninth Street, Las Vegas, Nevada 89101.

1           5.       Plaintiff, RETOR JONES JR. is, and at all times relevant hereto, was a resident of  
2 the County of Clark, State of Nevada and resided at the Alpine Motel, located at 213 N. Ninth  
3 Street, Las Vegas, Nevada 89101.

4           6.       Plaintiff, HELEN CLARK is, and at all times relevant hereto, was a resident of the  
5 County of Clark, State of Nevada and resided at the Alpine Motel, located at 213 N. Ninth Street,  
6 Las Vegas, Nevada 89101.

7           7.       Plaintiff, VICTOR COTTON is, and at all times relevant hereto, was a resident of  
8 the County of Clark, State of Nevada and resided at the Alpine Motel, located at 213 N. Ninth  
9 Street, Las Vegas, Nevada 89101.

10          8.       Plaintiff, CHRISTINA FARINELLA is, and at all times relevant hereto, was a  
11 resident of the County of Clark, State of Nevada and resided at the Alpine Motel, located at 213  
12 N. Ninth Street, Las Vegas, Nevada 89101.

13          9.       Plaintiff, HAILU ADDIS is, and at all times relevant hereto, was a resident of the  
14 County of Clark, State of Nevada and resided at the Alpine Motel, located at 213 N. Ninth Street,  
15 Las Vegas, Nevada 89101.

16          10.      Plaintiff, DENICIA JOHNSON is, and at all times relevant hereto, was a resident  
17 of the County of Clark, State of Nevada and resided at the Alpine Motel, located at 213 N. Ninth  
18 Street, Las Vegas, Nevada 89101.

19          11.      Plaintiff, PAUL WISE is, and at all times relevant hereto, was a resident of the  
20 County of Clark, State of Nevada and resided at the Alpine Motel, located at 213 N. Ninth Street,  
21 Las Vegas, Nevada 89101.

22          12.      Plaintiff, CARMAN MCCANDLESS is, and at all times relevant hereto, was a  
23 resident of the County of Clark, State of Nevada and resided at the Alpine Motel, located at 213  
24 N. Ninth Street, Las Vegas, Nevada 89101.

25          13.      Plaintiff, PARALEE MINTER is, and at all times relevant hereto, was a resident  
26 of the County of Clark, State of Nevada and resided at the Alpine Motel, located at 213 N. Ninth  
27 Street, Las Vegas, Nevada 89101.

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1           14.     Plaintiff, AUDREY PALMER is, and at all times relevant hereto, was a resident of  
2 the County of Clark, State of Nevada and resided at the Alpine Motel, located at 213 N. Ninth  
3 Street, Las Vegas, Nevada 89101.

4           15.     Plaintiff, SARA RACHAL is, and at all times relevant hereto, was a resident of the  
5 County of Clark, State of Nevada and resided at the Alpine Motel, located at 213 N. Ninth Street,  
6 Las Vegas, Nevada 89101.

7           16.     Plaintiff, KELVIN SALYERS is, and at all times relevant hereto, was a resident of  
8 the County of Clark, State of Nevada and resided at the Alpine Motel, located at 213 N. Ninth  
9 Street, Las Vegas, Nevada 89101.

10          17.     Plaintiff, JOE AGUILERA is, and at all times relevant hereto, was a resident of  
11 the County of Clark, State of Nevada and resided at the Alpine Motel, located at 213 N. Ninth  
12 Street, Las Vegas, Nevada 89101.

13          18.     Plaintiff, DAYSHENA THOMAS is, and at all times relevant hereto, was a resident  
14 of the County of Clark, State of Nevada and resided at the Alpine Motel, located at 213 N. Ninth  
15 Street, Las Vegas, Nevada 89101.

16          19.     Plaintiff, ANDREW THOMAS a minor, and the son of, DAYSHENA THOMAS  
17 is, and at all times relevant hereto, was a resident of the County of Clark, State of Nevada and  
18 resided at the Alpine Motel, located at 213 N. Ninth Street, Las Vegas, Nevada 89101.

19          20.     Plaintiff, SANDRA JONES is, and was at all times relevant hereto, was a resident  
20 of the County of Clark, State of Nevada and resided at the Alpine Motel, located at 213 N. Ninth  
21 Street, Las Vegas, Nevada 89101.

22          21.     Plaintiff, TIACHERELL DOTSON is, and at all times relevant hereto, was a  
23 resident of the County of Clark, State of Nevada and resided at the Alpine Motel, located at 213  
24 N. Ninth Street, Las Vegas, Nevada 89101.

25          22.     Plaintiff, A'LAYNA DOTSON, a minor and daughter of TIACHERELL DOTSON  
26 is, and at all times relevant hereto, was a resident of the County of Clark, State of Nevada and  
27 resided at the Alpine Motel, located at 213 N. Ninth Street, Las Vegas, Nevada 89101.

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1           23.     Plaintiff, CLEA ROBERTS and NELSON BLACKBURN, as husband and wife  
2 were, and at all times relevant hereto, was a resident of the County of Clark, State of Nevada and  
3 resided at the Alpine Motel, located at 213 N. Ninth Street, Las Vegas, Nevada 89101.

4           24.     Plaintiff, FLOYD, GUENTHER is, and at all times relevant hereto, was a resident  
5 of the County of Clark, State of Nevada and resided at the Alpine Motel, located at 213 N. Ninth  
6 Street, Las Vegas, Nevada 89101.

7           25.     Plaintiff, DOYLE MYERS is, and at all times relevant hereto, was a resident of the  
8 County of Clark, State of Nevada and resided at the Alpine Motel, located at 213 N. Ninth Street,  
9 Las Vegas, Nevada 89101.

10          26.     Plaintiff, LAURA EDWARDS is, and at all times relevant hereto, was a resident  
11 of the County of Clark, State of Nevada and resided at the Alpine Motel, located at 213 N. Ninth  
12 Street, Las Vegas, Nevada 89101.

13          27.     Plaintiff, ROY BACKHUS is, and at all times relevant hereto, was a resident of the  
14 County of Clark, State of Nevada and resided at the Alpine Motel, located at 213 N. Ninth Street,  
15 Las Vegas, Nevada 89101;

16          28.     Plaintiff, JIMMY BROWN-LACY is, and at all times relevant hereto, was a  
17 resident of the County of Clark, State of Nevada and resided at the Alpine Motel, located at 213  
18 N. Ninth Street, Las Vegas, Nevada 89101;

19          29.     Plaintiff, DELMARKAS COMBS is, and at all times relevant hereto, was a resident  
20 of the County of Clark, State of Nevada and resided at the Alpine Motel, located at 213 N. Ninth  
21 Street, Las Vegas, Nevada 89101;

22          30.     Plaintiff, CHARLES COUCH and STEPHANIE COUCH as husband and wife is,  
23 and at all times relevant hereto, was a resident of the County of Clark, State of Nevada and resided  
24 at the Alpine Motel, located at 213 N. Ninth Street, Las Vegas, Nevada 89101;

25          31.     Plaintiff, ASHLEY ROGERS a minor, and the daughter of CHERYL ROGERS is,  
26 and at all times relevant hereto, was a resident of the County of Clark, State of Nevada and resided  
27 at the Alpine Motel, located at 213 N. Ninth Street, Las Vegas, Nevada 89101;

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1           32. Plaintiff, CHERYL ROGERS is, and at all times relevant hereto, was a resident of  
2 the County of Clark, State of Nevada and resided at the Alpine Motel, located at 213 N. Ninth  
3 Street, Las Vegas, Nevada 89101;

4           33. Plaintiff, MATTHEW SYKES and THELMA SYKES were, and at all times  
5 relevant hereto, was a resident of the County of Clark, State of Nevada and resided at the Alpine  
6 Motel, located at 213 N. Ninth Street, Las Vegas, Nevada 89101;

7           34. Plaintiff, DAVID BARBARA is, and at all times relevant hereto, was a resident of  
8 the County of Clark, State of Nevada and resided at the Alpine Motel, located at 213 N. Ninth  
9 Street, Las Vegas, Nevada 89101;

10           35. Plaintiff, EDDIE ELLIS is, and at all times relevant hereto, was a resident of the  
11 County of Clark, State of Nevada and resided at the Alpine Motel, located at 213 N. Ninth Street,  
12 Las Vegas, Nevada 89101;

13           36. Plaintiff, C EUGENE FRAZIER is, and at all times relevant hereto, was a resident  
14 of the County of Clark, State of Nevada and resided at the Alpine Motel, located at 213 N. Ninth  
15 Street, Las Vegas, Nevada 89101;

16           37. Plaintiff, JEREMY GORDON is, and at all times relevant hereto, was a resident of  
17 the County of Clark, State of Nevada and resided at the Alpine Motel, located at 213 N. Ninth  
18 Street, Las Vegas, Nevada 89101;

19           38. Plaintiff, SCOTTI HUGHES is, and at all times relevant hereto, was a resident of  
20 the County of Clark, State of Nevada and resided at the Alpine Motel, located at 213 N. Ninth  
21 Street, Las Vegas, Nevada 89101;

22           39. Plaintiff, TOMMY CALDERILLA is, and at all times relevant hereto, was a  
23 resident of the County of Clark, State of Nevada and resided at the Alpine Motel, located at 213  
24 N. Ninth Street, Las Vegas, Nevada 89101;

25           40. Defendant LAS VEGAS DRAGON HOTEL, LLC, dba ALPINE MOTEL.  
26 (hereinafter “ALPINE MOTEL”), is and was a limited-liability company, which at all relevant  
27 times, was authorized to do and was doing business in the County of Clark, State of Nevada.  
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1           41. Defendant ADOLFO G. OROZCO (hereinafter “OROZCO”), upon information  
2 and belief, was at all times relevant hereto, a resident of County of Clark, State of Nevada.

3           42. At all relevant times and upon information and belief, Defendant OROZCO was  
4 the member and sole decision-maker at ALPINE MOTEL.

5           43. Defendant EDS ELECTRONICS, INC. (hereinafter “EDS”) is and was a Domestic  
6 Corporation, which at all relevant times and upon information and belief, was authorized to do and  
7 was doing business in the County of Clark, State of Nevada, through its employees, agents,  
8 representatives, and/or servants that maintained the fire alarm notification systems at ALPINE  
9 MOTEL;

10           44. Defendant TSI SALES & INSTALLATION, LLC, dba, TSI (hereinafter “TSI  
11 SALES”), is and was a Domestic Limited Liability Company, which at all relevant times and upon  
12 information and belief, was authorized to do and was doing business in the County of Clark, State  
13 of Nevada, through its employees, agents, representatives, and/or servants that monitored the fire  
14 alarm systems at ALPINE MOTEL;

15           45. Defendant TSI MONITORING, dba, TSI (hereinafter “TSI MONITORING”), is  
16 and was a Domestic Limited Liability Company, which at all relevant times and upon information  
17 and belief, was authorized to do and was doing business in the County of Clark, State of Nevada,  
18 through its employees, agents, representatives, and/or servants that monitored the fire alarm  
19 systems at ALPINE MOTEL;

20           46. Defendant TOTAL SAFETY INCORPORATED (hereinafter “TOTAL  
21 SAFETY”), was a Domestic Corporation, which at all relevant times and upon information and  
22 belief, was authorized to do and was doing business in the County of Clark, State of Nevada,  
23 through its employees, agents, representatives, and/or servants that monitored the fire alarm  
24 systems at ALPINE MOTEL;

25           47. Defendant STANLEY SECURITY SOLUTIONS INC. (hereinafter  
26 “STANLEY”), is an a Foreign Corporation, which at all relevant times and upon information and  
27 belief, was authorized to do and was doing business in the County of Clark, State of Nevada,  
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1 through its employees, agents, representatives, and/or servants that monitored the fire alarm  
2 systems at ALPINE MOTEL;

3 48. At all relevant times and upon information and belief, Defendants TSI SALES, TSI  
4 MONITORING, TOTAL SAFETY, and STANLEY were agents, partners, co-ventures,  
5 successors in business interest and/or assumed identities, each of the other.

6 49. Defendant COOPER WHEELOCK INC. (hereinafter “COOPER”), is and was a  
7 Domestic Corporation, a New Jersey entity, doing business in the State of Nevada, and upon  
8 information and belief, through its employees agents, representatives, and/or servants installed,  
9 designed, manufactured, fabricated, distributed, assembled, and/or sold a Cooper Wheelock AH-  
10 24WP-R horn strobes.

11 50. Upon information and belief, and that at all time relevant herein, COOPER installed  
12 a Cooper Wheelock AH-24WP-R horn strobe at ALPINE MOTEL to replace a defective horn  
13 strobe. Upon information and belief, the horn strobe did not sound and/or alert residents of a fire  
14 at the ALPINE MOTEL.

15 51. That at all time relevant herein, it was reasonably foreseeable to Defendant  
16 COOPER that when its products entered the State of Nevada, that Defendant could be expected to  
17 be sued in the state where its products caused the injury. Jurisdiction is appropriate under the Due  
18 Process Clause. Upon information and belief, Defendant COOPER was aware of the national  
19 distribution system of its horn strobes, and as a consequence of that awareness, Defendant  
20 COOPER indirectly and/or directly served the national market and derived economic benefit  
21 therefrom. As such, Defendant COOPER could reasonably anticipate being subject to suit in any  
22 forum within that market where its product caused injury.

23 52. Defendant AES CORPORATION (hereinafter “AES”), is a Domestic Corporation,  
24 a Massachusetts entity, doing business in the State of Nevada, and upon information and belief,  
25 through its employees agents, representatives, and/or servants installed, designed, manufactured,  
26 fabricated, distributed, assembled, and/or sold a AES Intelli-Net 7750-F wireless radio alarm  
27 transmission system to the general public.

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1           53.     That at all time relevant herein, it was reasonably foreseeable to Defendant AES  
2 that when its products entered the State of Nevada, that Defendant could be expected to be sued  
3 in the state where its products caused the injury. Jurisdiction is appropriate under the Due Process  
4 Clause. Upon information and belief, Defendant AES was aware of the national distribution  
5 system of its wireless radio alarm transmission systems, and as a consequence of that awareness,  
6 Defendant AES indirectly and/or directly served the national market and derived economic benefit  
7 therefrom. As such, Defendant AES could reasonably anticipate being subject to suit in any forum  
8 within that market where its product caused injury.

9           54.     At all relevant times, and upon information and belief, Defendants TSI SALES,  
10 TSI MONITORING, TOTAL SAFETY, and STANLEY installed the AES Intelli-Net 7750-F  
11 wireless radio alarm transmission system at the ALPINE MOTEL.

12           55.     That Defendants, DOE EMPLOYEES 1 through 40, and/or DOE NEGLIGENT  
13 EMPLOYEES 1 through 40, were acting within the course and scope of their employment, service  
14 and/or agency, with the other Defendants, the Defendants, and each of them, are vicariously liable  
15 for the injuries and damages sustained by Plaintiffs as alleged herein.

16           56.     That Defendants, DOE EMPLOYEES, and DOE NEGLIGENT EMPLOYEES  
17 were acting in concert with the other Defendants, the Defendants and each of them, are vicariously  
18 and jointly and severally liable for the injuries and damages sustained by Plaintiffs as alleged  
19 herein.

20           57.     Defendants ALPINE MOTEL, OROZCO, DOES and ROES set forth above,  
21 inclusive, and each of them, were the agent, representative, servant, independent contractor,  
22 subcontractor, partner, joint venture, alter ego, successor in interest, affiliate, parent and/or  
23 subsidiary, employee and franchise of each of the remaining Defendants, and each of them herein,  
24 and were at all times acting within the purpose and scope of said agency, service, employment,  
25 partnership, joint venture, parent/subsidiary and franchise as such and with the express and/or  
26 implied permission, knowledge, consent, and ratification of all said other Defendants.

27           58.     Plaintiffs further allege upon information and belief that the OROZCO, DOES and  
28 ROES set forth above, and each of them, were the alter egos of ALPINE MOTEL and ROE

1 ENTITIES as set forth above, inclusive, and each of them named herein, having influenced and  
2 governed the entities, there is such unity of interest and ownership that the limited-liability  
3 company and the person are inseparable from each other; and adherence to the notion of the  
4 limited-liability company being an entity separate from the person would sanction fraud or  
5 manifest injustice. Further, OROZCO is liable for the damages caused to Plaintiffs as a result of  
6 the duties he owed to them as an individual, separate and apart from his role as a member of  
7 ALPINE MOTEL, including without limitation his individual negligence concerning his direct  
8 knowledge of actions that threatened physical injuries to Plaintiffs.

9           59. That the true names and capacities, whether individual, corporate, associate, or  
10 otherwise, of the Defendants herein designated as DOE 1 through 40, ROE CORPORATIONS 1  
11 through 40, DOE INSTALLERS 1 through 40, ROE CONTRACTORS 1 through 40 ROE  
12 SELLERS 1 through 40, DOE EMPLOYEES 1 through 40, DOE INDIVIDUALS 1 through 40,  
13 ROE DESIGNERS 1 through 40, ROE DESIGNERS 1 through 40, ROE MANUFACTURERS 1  
14 through 40, ROE DISTRIBUTORS 1 through 40, ROE DISTRIBUTORS 1 through 40, ROE  
15 STOVE DESIGNERS 1 through 40, ROE STOVE MANUFACTURERS 1 through 40, ROE  
16 STOVE DISTRIBUTORS 1 through 40, ROE STOVE INSTALLER 1 through 40, ROE STOVE  
17 SELLER 1 through 40, ROE STOVE MAINTAINER 1 through 40, ROE HORN STROBE  
18 DESIGNERS 1 through 40, ROE HORN STROBE MANUFACTURERS 1 through 40, ROE  
19 HORN STROBE DISTRIBUTORS 1 through 40, ROE WIRELESS RADIO ALARM  
20 TRANSMISSION SYSTEM DESIGNERS 1 through 40, ROE WIRELESS RADIO ALARM  
21 TRANSMISSION SYSTEM MANUFACTURERS 1 through 40, ROE WIRELESS RADIO  
22 ALARM TRANSMISSION SYSTEM DISTRIBUTORS 1 through 40, ROE COMPONENT  
23 PART DESIGNERS 1 through 40, ROE COMPONENT PART MANUFACTURERS 1 through  
24 40, ROE COMPONENT PART DISTRIBUTORS 1 through 40, DOE NEGLIGENT  
25 EMPLOYERS 1 through 40, DOE NEGLIGENT EMPLOYEES 1 through 40, and/or ROE  
26 NEGLIGENT CORPORATIONS 1 through 40 are unknown to Plaintiffs at this time who  
27 therefore sue said Defendants by fictitious names.

28

1           60.     Plaintiffs alleges that each named Defendant herein designated as DOE 1 through  
2 40, ROE CORPORATIONS 1 through 40, ROE SELLERS 1 through 40, DOE EMPLOYEES 1  
3 through 40, DOE INDIVIDUALS 1 through 40, DOE INSTALLERS 1 through 40, ROE  
4 CONTRACTORS 1 through 40, ROE DESIGNERS 1 through 40, ROE DESIGNERS 1 through  
5 40, ROE MANUFACTURERS 1 through 40, ROE DISTRIBUTORS 1 through 40, ROE STOVE  
6 DESIGNERS 1 through 40, ROE STOVE MANUFACTURERS 1 through 40, ROE STOVE  
7 DISTRIBUTORS 1 through 40, ROE STOVE INSTALLER 1 through 40, ROE STOVE SELLER  
8 1 through 40, ROE STOVE MAINTAINER 1 through 40, ROE HORN STROBE DESIGNERS  
9 1 through 40, ROE HORN STROBE MANUFACTURERS 1 through 40, ROE HORN STROBE  
10 DISTRIBUTORS 1 through 40, ROE WIRELESS RADIO ALARM TRANSMISSION SYSTEM  
11 DESIGNERS 1 through 40, ROE WIRELESS RADIO ALARM TRANSMISSION SYSTEM  
12 MANUFACTURERS 1 through 40, ROE WIRELESS RADIO ALARM TRANSMISSION  
13 SYSTEM DISTRIBUTORS 1 through 40, ROE COMPONENT PART DESIGNERS 1 through  
14 40, ROE COMPONENT PART MANUFACTURERS 1 through 40, ROE COMPONENT PART  
15 DISTRIBUTORS 1 through 40, DOE NEGLIGENT EMPLOYERS 1 through 40, DOE  
16 NEGLIGENT EMPLOYEES 1 through 40, and/or ROE NEGLIGENT CORPORATIONS 1  
17 through 40 is negligently, willfully, contractually, and/or otherwise legally responsible for the  
18 events and happenings herein referred to and proximately caused injury and damages to Plaintiffs  
19 as herein alleged. Plaintiffs will seek leave of Court to amend this Complaint to insert the true  
20 names and capacities of such Defendants when same have been ascertained and will further seek  
21 leave to join said Defendants in these proceedings.

22           61.     Plaintiffs are informed and believe and thereon alleges that at all relevant times  
23 herein-mentioned Defendants, and each of them, were the agents and/or servants and/or partners  
24 and/or joint venture partners and/or employers and/or employees of the remaining Defendants and  
25 were acting within the course and scope of such agency, employment, partnership or joint venture  
26 and with the knowledge and consent of the remaining Defendants at the time of the event leading  
27 to Plaintiffs' injuries.

28



1 62. That exercise of the jurisdiction by this Court over each and every Defendant in  
2 this action is appropriate because at least one Defendant is a resident of the State of Nevada, and  
3 each and every Defendant has done, and continues to do, business in the State of Nevada, and  
4 committed a tort in the State of Nevada.

5 63. That all incidents described herein occurred in the County of Clark, State of  
6 Nevada.

7 **III.**  
8 **FACTUAL ALLEGATIONS**

9 64. Plaintiffs, each of them, were residents of the ALPINE MOTEL, located at 213  
10 North 9th Street, Las Vegas, Nevada, 89101.

11 65. The ALPINE MOTEL is a forty-two (42) unit apartment complex and motel rented  
12 to the general public for residential use.

13 66. Upon information and belief, the ALPINE MOTEL did not have adequate heating  
14 facilities, in violation of applicable fire codes and/or NRS 118A.290 entitled Habitability of  
15 dwelling unit.

16 67. As a result of not having adequate heating facilities, and upon information and  
17 belief, residents of the ALPINE MOTEL resorted to using cooking stoves as heat sources.

18 68. In the early hours of the morning on December 21, 2019, a fire ignited in a first-  
19 floor unit located within the three-story ALPINE MOTEL.

20 69. An initial investigation by Las Vegas Fire and Rescue indicated the cause of the  
21 tragic fire was a cooking stove being used as a heat source.

22 70. After the fire broke out, residents attempted to evacuate the ALPINE MOTEL.

23 71. Some residents of the ALPINE MOTEL resorted to leaping from upper-story  
24 windows to escape the fire.

25 72. Upon information and belief, the ALPINE MOTEL did not have adequate hallway  
26 lighting as a means of egress illumination, as required by the applicable fire code including but  
27

28

1 not limited to NRS 477, which prevented residents from quickly and safely exiting the burning  
2 building.

3 73. Upon information and belief, the egress doors located within the ALPINE MOTEL  
4 were bolted closed, in violation of NRS 41.800, trapping residents from safely exiting the burning  
5 building.

6 74. Upon information and belief, the ALPINE MOTEL did not have working fire  
7 alarms and/or smoke detectors, in violation of the applicable fire codes including those contained  
8 in NRS 477, but not limited NRS 477.140 and NRS 477.350.

9 75. Upon information and belief, the ALPINE MOTEL did not have working fire  
10 extinguishers or a fire suppression system, in violation of the applicable fire code contained in  
11 NRS 477.

12 76. Upon information and belief, the ALPINE MOTEL units were uninhabitable and/or  
13 failed to provide basic essential services and/or utilities, including heating and air systems, as  
14 required by NRS 118A.290 and other applicable statutes or regulations.

15 77. Upon information and belief, prior to the subject fire, ALPINE MOTEL and  
16 OROZCO failed to inspect, install, replace, test, and/or maintain the appliances, fire safety  
17 equipment and devices, entry and exit doors and/or pathways, electrical power sources, and/or the  
18 utilities at the ALPINE MOTEL.

19 78. Upon information and belief, EDS installed and maintained the COOPER  
20 Wheelock AH-24WP-R horn strobe that failed to operate during the subject fire, and installed  
21 and/or maintained the alarm system in general at the ALPINE MOTEL, as it existed at the time of  
22 the subject fire..

23 79. Upon information and belief, TSI MONITORING, formerly TOTAL SAFETY was  
24 the contracted monitor of the ALPINE MOTEL fire alarm system at the time of the subject fire.  
25 The said system was designed to be monitored over a wireless radio network.

26 80. Upon information and belief, STANLEY purchased TOTAL SAFETY in 2016.

27 81. Upon information and belief, COOPER manufactured the AH-24WP-R horn  
28 strobe that failed to operate during the subject fire.

1 82. Upon information and belief, AES was the manufacturer and distributor of AES  
2 Intelli-Net 7750-F wireless radio alarm transmission system provided to EDS by AES and was  
3 installed at the ALPINE MOTEL by either TSI or EDS. This radio alarm transmission was present  
4 on the premises at the time of the subject fire and failed to operate.

5 83. Upon information and belief, the subject AES Intelli-Net 7750-F wireless radio  
6 alarm transmission system installed by TSI was monitored by EDS. It is further believed that EDS  
7 was to inform TSI of any signal that should then have been relayed to the Fire Department.

8 84. Defendants knew or should have known that the equipment, devices, products,  
9 and/or conditions that caused or contributed to the fire and damages described herein were faulty  
10 and that the ALPINE MOTEL was unreasonably dangerous and/or failed to meet or comply with  
11 applicable laws, codes, and/or ordinances.

12 85. Plaintiffs' damages complained of herein were the direct and proximate result of  
13 the failure of the Defendants to provide its tenants and/or invitees, with safe and/or habitable living  
14 conditions.

15 86. The injuries of the Plaintiffs were the result of the negligent, knowing, oppressive,  
16 malicious, and/or reckless conduct of the Defendants and/or their failure to properly distribute,  
17 select, install, inspect, repair, maintain, test, or purchase smoke alarms, fire extinguishers, fire  
18 alarm system, essential utilities, entrance and exit doors, appliances, and/or electrical power  
19 sources at ALPINE MOTEL.

20 **IV**

21 **FIRST CAUSE OF ACTION**

22 NEGLIGENCE PER SE VIOLATION OF NRS 41.800, NRS 118A.290, and NRS 477

23 (As to ALPINE MOTEL, OROZCO, and ALL NAMED DOES AND ROES)

24 87. Plaintiffs reallege each and every allegation contained in the preceding and  
25 subsequent paragraphs, and by this reference incorporates said paragraphs as though fully set forth  
26 herein.

27 88. On or about December 21, 2019, Plaintiffs were a tenant of the ALPINE MOTEL  
28 and legally on the premises described herein above.

1           89. Defendants, ALPINE MOTEL and OROZCO owed Plaintiffs the duty to act as a  
2 reasonable landlord, obey by applicable laws, codes, and ordinances, and provide its tenants a  
3 habitable dwelling and a premise safe from unreasonable danger.

4           90. Additionally, Defendants; ALPINE MOTEL and OROZCO owed Plaintiffs the  
5 non-delegable duty to maintain the ALPINE MOTEL and its common areas and means of egress  
6 in a reasonably safe condition, owed a duty to use reasonable care when inspecting, servicing and  
7 maintaining the ALPINE MOTEL and its common areas and means of egress, and had a duty to  
8 comply with all applicable building, housing and fire codes.

9           91. Upon information and belief, Defendants, ALPINE MOTEL and OROZCO had  
10 actual and constructive notice of code violations, dangerous conditions, and/or deficiencies that  
11 rendered the Alpine Motel Apartments and its and common areas uninhabitable, prior the fire  
12 described herein, and was given notice by residents, and/or local health and/or fire inspectors. The  
13 Defendants conduct created a foreseeable zone of risk that a fire and smoke resulting therefrom  
14 would occur.

15           92. Defendants, ALPINE MOTEL and OROZCO breached their duties in that they  
16 failed to use reasonable care in the manner by which they owned, operated, managed, maintained,  
17 supervised, inspected, failed to inspect, controlled, and/or renovated the ALPINE MOTEL,  
18 including the property's fire prevention, suppression, and/or safety systems, heating, ventilation,  
19 and cooling systems, emergency egress routes, and utility services at the time Plaintiffs occupied  
20 the ALPINE MOTEL, Defendants:

- 21           a. Failed to provide and/or maintain, or adequately maintain the smoke alarms, fire  
22 extinguishers, and fire alarm system at the subject property;
- 23           b. Failed to provide and/or inspect the smoke alarms, fire extinguishers, and fire alarm  
24 system at the subject property;
- 25           c. Failed to maintain or adequately maintain the entrance and exit doors of the subject  
26 property;
- 27           d. Failed to inspect, or adequately inspect the entrance and exit doors of the subject  
28 property;

- 1 e. Failed to maintain or adequately maintain the utilities, specifically the heating systems,  
2 of the subject property;
- 3 f. Failed to warn or adequately warn the Plaintiffs of the dangerous conditions relating to  
4 the fire protection devices and systems, the entrance and exit doors (bolted shut), and lack  
5 of essential utilities, including heat, when Defendants knew or should have known of their  
6 existence and when Plaintiffs were unaware of the dangerous conditions;
- 7 g. Failed to correct or adequately correct the fire protection devices and systems and  
8 dangerous conditions relating to the habitability and fire safety at the subject property when  
9 Defendants knew or should have known of their existence;
- 10 h. Failed to provide a safe and secure means of moving about the subject property for  
11 Plaintiffs, including escaping a fire;
- 12 i. Failed to install fire prevention devices, specifically smoke alarms, fire extinguishers,  
13 and fire alarm systems;
- 14 j. Failed to provide and maintain a safe and secure premises as required by Nevada law;
- 15 k. Failed to comply with the applicable building, housing and fire codes; and
- 16 l. Failed to act reasonably under the circumstances.

17 93. Plaintiffs are informed and believe and allege thereon that these unsafe and  
18 dangerous conditions were known to Defendants ALPINE MOTEL, OROZCO, ALL NAMED  
19 DOES AND ROES, inclusive and each of them, and/or was discoverable through reasonable  
20 inspection of the property.

21 94. As a result of Defendants, ALPINE MOTEL and OROZCO negligence per se, the  
22 building was in an unsafe and dangerous condition so that instead of protecting the tenants, it  
23 actually exposed the tenants to an unreasonable risk of harm and exacerbated, instead of mitigated,  
24 the damages caused by the fire.

25 95. Plaintiffs are part of the class of people intended to be protected by the fire code of  
26 the City of Las Vegas and other applicable codes, regulations, laws, and ordinances of which  
27 Defendants, ALPINE MOTEL and OROZCO violated, including NRS 41.800 and/or NRS  
28 118A.290 and/or NRS 477.

1 96. Defendants, each of them, by actions and omissions as alleged herein directly and  
2 proximately caused the damages set forth in this Complaint for Plaintiffs.

3 97. As a direct and approximate result of the Defendants' negligence, Plaintiffs have  
4 suffered injuries and/or severe emotional distress and/or property damage and/or loss of property  
5 in excess of Fifteen Thousand Dollars (\$15,000.00).

6 98. Defendants, and each of them, acted with fraud, oppression, and/or malice toward  
7 Plaintiffs, exhibited an intention and willingness to injure Plaintiffs and/or a conscious disregard  
8 for the rights and safety of the Plaintiffs, and Defendants should be punished and made an example  
9 of by imposition of punitive or exemplary damages in an amount in excess of Fifteen Thousand  
10 Dollars (\$15,000.00).

11 99. As a result of Defendants' conduct, as set forth herein, Plaintiffs have been required  
12 to retain the services of an attorney, and, as a direct, natural, and foreseeable consequence thereof,  
13 have been damaged thereby, and are entitled to reasonable attorneys' fees and costs.

14 V

15 **SECOND CAUSE OF ACTION**

16 GENERAL NEGLIGENCE

17 (As to ALPINE MOTEL, OROZCO, and ALL NAMED DOES AND ROES)

18 100. Plaintiffs reallege each and every allegation contained in the preceding and  
19 subsequent paragraphs, and by this reference incorporates said paragraphs as though fully set forth  
20 herein.

21 101. At all relevant times, Defendant ALPINE MOTEL and OROZCO, failed to install,  
22 properly maintain and test fire alarm systems.

23 102. Defendant ALPINE MOTEL and OROZCO, and each of them, posted no warning  
24 signs to alert individuals of the imminent hazards said Defendants created, and failed to provide  
25 proper exits in event of an emergency.

26 103. Defendant ALPINE MOTEL and OROZCO negligently hired, trained, and  
27 supervised the managers, maintenance personnel, and employees working at ALPINE MOTEL  
28 regarding fire safety and how to properly install, inspect, test, maintain, and/or repair the smoke

1 alarms, fire extinguishers, fire alarm system, entrance and exit doors, and/or essential utilities,  
2 specifically the heating systems at ALPINE MOTEL;

3 104. That prior to the severe injuries suffered by Plaintiffs, Defendant ALPINE MOTEL  
4 and OROZCO, and each of them, had knowledge of the hazardous safety conditions including but  
5 not limited to bolted and locked exit doors, and failed to remedy said conditions that were a direct  
6 and proximate result of Plaintiffs’ injuries.

7 105. Defendant ALPINE MOTEL and OROZCO owed a duty to Plaintiffs to maintain  
8 a safe premises. Defendants breached that duty causing Plaintiffs physical injury, severe emotional  
9 distress, property damage and/or loss of property and other damages.

10 106. That said failures of Defendant ALPINE MOTEL and OROZCO, amount to a  
11 conscious disregard for the safety of the Plaintiffs, as to constitute malice and oppression.

12 107. For the reasons set forth herein, Plaintiffs are entitled to exemplary damages in an  
13 amount to be determined at trial.

14 108. As a direct and approximate result of the Defendants’ negligence, Plaintiffs have  
15 suffered injuries and/or severe emotional distress and/or property damage and/or loss of property  
16 in excess of Fifteen Thousand Dollars (\$15,000.00).

17 109. Plaintiffs further seek exemplary and punitive damages in excess of Fifteen  
18 Thousand Dollars (\$15,000.00).

19 110. Defendants, and each of them, acted with fraud, oppression, and/or malice toward  
20 Plaintiffs, exhibited an intention and willingness to injure Plaintiffs and/or a conscious disregard  
21 for the rights and safety of the Plaintiffs, and Defendants should be punished and made an example  
22 of by imposition of punitive or exemplary damages in an amount in excess of Fifteen Thousand  
23 Dollars (\$15,000.00).

24 111. As a result of Defendants’ conduct, as set forth herein, Plaintiffs have been required  
25 to retain the services of an attorney, and, as a direct, natural, and foreseeable consequence thereof,  
26 have been damaged thereby, and are entitled to reasonable attorneys’ fees and costs

27 **VI**

28 **THIRD CAUSE OF ACTION**

1 NEGLIGENT MONITORING, MAINTENANCE, AND INSTALLATION

2 (As to EDS, TSI SALES, TSI MONITORING, TOTAL SAFETY, STANLEY, AES, COOPER,  
3 and ALL NAMED DOES AND ROES)

4 112. Plaintiffs reallege each and every allegation contained in the preceding and  
5 subsequent paragraphs, and by this reference incorporates said paragraphs as though fully set forth  
6 herein.

7 113. At all relevant times, herein Defendants, negligently installed, maintained,  
8 monitored and/or tested the fire alarms including the horn strobe.

9 114. Defendants owed a duty to Plaintiffs to properly and with due care monitor,  
10 maintain and install the subject fire alarm and horn strobe.

11 115. Defendants breached those duties causing Plaintiffs physical injury, severe  
12 emotional distress, property damage and/or loss of property and other damages.

13 116. That said failures of Defendants amount to a conscious disregard for the safety of  
14 the Plaintiffs, as to constitute malice and oppression.

15 117. For the reasons set forth herein, Plaintiff is entitled to exemplary damages in an  
16 amount to be determined at trial.

17 118. As a direct and approximate result of the Defendants' negligence, Plaintiffs have  
18 suffered injuries and/or severe emotional distress and/or property damage and/or loss of property  
19 in excess of Fifteen Thousand Dollars (\$15,000.00).

20 119. Defendants, and each of them, acted with fraud, oppression, and/or malice toward  
21 Plaintiffs, exhibited an intention and willingness to injure Plaintiffs and/or a conscious disregard  
22 for the rights and safety of the Plaintiffs, and Defendants should be punished and made an example  
23 of by imposition of punitive or exemplary damages in an amount in excess of Fifteen Thousand  
24 Dollars (\$15,000.00).

25 120. As a result of Defendants' conduct, as set forth herein, Plaintiffs have been required  
26 to retain the services of an attorney, and, as a direct, natural, and foreseeable consequence thereof,  
27 have been damaged thereby, and are entitled to reasonable attorneys' fees and costs



**FOURTH CAUSE OF ACTION**

STRICT PRODUCTS LIABILITY – DESIGN DEFECT, MANUFACTURING DEFECT,  
FAILURE TO WARN/INADEQUATE WARNING

(As to EDS, TSI SALES, TSI MONITORING, TOTAL SAFETY, STANLEY, COOPER,  
AES, and ALL NAMED DOES AND ROES)

121. Plaintiffs incorporate by reference each and every allegation previously made in this Complaint, as if fully set forth herein.

122. That, at all times, relevant herein, Defendants, EDS, TSI SALES, TSI MONITORING, TOTAL SAFETY, STANLEY installed the AES Intelli-Net 7750-F wireless radio alarm transmission system at the ALPINE MOTEL.

123. That, at all times relevant herein, Defendant, COOPER, including but not limited to all ROE and DOE Defendants, were the manufactures, designers, distributors, retailers, marketers, sellers, repairers, installers, and/or maintainers of the Cooper Wheelock AH-24WP-R horn strobe installed at ALPINE MOTEL for use by the general public, all with the knowledge that the same would not be inspected or tested by the purchaser or user for defects. That at the time of the December 21, 2019, the Cooper Wheelock AH-24WP-R horn strobe installed at the ALPINE MOTEL failed to sound and/or alert residents of a fire at the ALPINE MOTEL which caused Plaintiff severe and permanent physical and severe emotional injuries due to the defect(s) contained therein.

124. That the AH-24WP-R horn strobe was defective in its design and/or manufacture and/or distribution and/or installation, failing to provide warning to the Plaintiffs of the imminent danger, lessening Plaintiff’s ability to safely escape in time to avoid suffering personal injuries and substantial bodily harm.

125. That such defect(s) existed when the AH-24WP-R horn strobe left the hands of the manufacturer, designer, distributor, retailer, marketer, seller, repairer, and/or maintainer.

126. That the Defendant, COOPER knew or should have known of the subject AH-24WP-R horn strobe’s defect(s) which rendered it unreasonably dangerous at the time of placing the product into the stream of commerce and failed to undertake measures to prohibit it from

1 entering into the stream of commerce and into the hands of users in the State of Nevada, including  
2 warnings of the risks for the product failure, proper use and maintenance of the product, proper  
3 inspection and/or installation of the product for potential hazards and/or defects.

4 127. That Defendant, COOPER, knew or should have known that the general public  
5 would use and/or rely upon the horn strobe in the event of a fire to perform its function of warning  
6 them of the dangerous condition.

7 128. As a direct and approximate result of the Defendants' negligence, Plaintiffs have  
8 suffered injuries and/or severe emotional distress and/or property damage and/or loss of property  
9 in excess of Fifteen Thousand Dollars (\$15,000.00).

10 129. Defendants, and each of them, acted with fraud, oppression, and/or malice toward  
11 Plaintiffs, exhibited an intention and willingness to injure Plaintiffs and/or a conscious disregard  
12 for the rights and safety of the Plaintiffs, and Defendants should be punished and made an example  
13 of by imposition of punitive or exemplary damages in an amount in excess of Fifteen Thousand  
14 Dollars (\$15,000.00).

15 130. As a result of Defendants' conduct, as set forth herein, Plaintiffs have been required  
16 to retain the services of an attorney, and, as a direct, natural, and foreseeable consequence thereof,  
17 have been damaged thereby, and are entitled to reasonable attorneys' fees and costs.

18  
19 **VIII**

20 **FIFTH CAUSE OF ACTION**

21 **NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS BYSTANDER- BRIANNA**  
22 **AIKENS; MICHAEL AIKENS; MATTHEW SYKES and ANDREW THOMAS**

23 (As to all Defendants)

24 131. That Plaintiffs repeat and reallege each and every allegation set forth in this  
25 Complaint, as though the same were fully set forth herein.

26 132. The Defendants negligently caused the fire and subsequent injuries to Plaintiffs;

27 133. Plaintiffs MICHAEL AIKENS and BRIANNA AIKENS have a close familial  
28 relationship with RICHARD AIKENS:

1           134. Plaintiffs MICHAEL AIKENS and BRIANNA AIKENS witnessed the injuries to  
2 RICHARD AIKENS;

3           135. Plaintiff, ANDREW THOMAS has a close familial relationship with DAYSHENA  
4 THOMAS;

5           136. Plaintiff, MATTHEW SYKES witnessed the injuries to THELMA SYKES;

6           137. Plaintiff, ANDREW THOMAS witnessed the injuries to DAYSHENA THOMAS;

7           138. As a result of witnessing or experiencing the fire, the plaintiffs suffered severe  
8 emotional distress.

9           139. As a direct and proximate result of the acts, omissions, and conduct of Defendants,  
10 Plaintiffs have suffered severe emotional distress.

11           140. As a direct and proximate result of the conduct of Defendants described  
12 hereinabove, Plaintiffs have sustained damages in excess of FIFTEEN THOUSAND DOLLARS  
13 (\$15,000.00).

14           141. Defendants, and each of them, acted with fraud, oppression, and/or malice toward  
15 Plaintiffs, exhibited an intention and willingness to injure Plaintiffs and/or a conscious disregard  
16 for the rights and safety of the Plaintiffs, and Defendants should be punished and made an example  
17 of by imposition of punitive or exemplary damages in an amount in excess of Fifteen Thousand  
18 Dollars (\$15,000.00)

19           142. As a result of Defendants’ conduct, as set forth herein, Plaintiffs have been required  
20 to retain the services of an attorney, and, as a direct, natural, and foreseeable consequence thereof,  
21 have been damaged thereby, and are entitled to reasonable attorneys’ fees and costs.

22

23

**IX**

24

**SIXTH CAUSE OF ACTION**

25

**NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

26

**RICHARD AIKENS; DEJOY WILSON; JOHNATHAN WILSON; RETOR JONES JR;**

27

**HELEN CLARK; VICTOR COTTON; CHRISTINA FARINELLA; HAILU ADDIS; DENICIA**

28

**JOHNSON, PAUL WISE, CARMAN MCCANDLESS; PARALEE MINTER; AUDREY**

1 PALMER; SARA RACHAL; KELVIN SALYERS; JOE AGUILERA; DAYSHENA  
2 THOMAS; SANDRA JONES, TIACHERELL DOTSON; A’LAYNA DOTSON, by and  
3 through her natural parent TIACHERELL DOTSON; CLEA ROBERTS; NELSON  
4 BLACKBURN; FLOYD GUENTHER, DOYLE MYERS, LAURA EDWARDS; ROY  
5 BACKHUS; JIMMY BROWN-LACY; DELMARKAS COMBS; CHARLES COUCH;  
6 STEPHANIE COUCH; ASHLEY ROGERS a minor,  
7 by and through her natural parent CHERYL ROGERS; CHERYL ROGERS;  
8 THELMA SYKES; and TOMMY CALDERILLA

9 (As to all Defendants)

10 143. That Plaintiffs repeat and reallege each and every allegation set forth in this  
11 Complaint, as though the same were fully set forth herein.

12 144. The Defendants negligently caused the fire and subsequent injuries to Plaintiffs;

13 145. Plaintiffs RICHARD AIKENS; DEJOY WILSON; JOHNATHAN WILSON;  
14 RETOR JONES JR.; HELEN CLARK; VICTOR COTTON; CHRISTINA FARINELLA; HAILU  
15 ADDIS; DENICIA JOHNSON; PAUL WISE; CARMAN MCCANDLESS; PARALEE  
16 MINTER; AUDREY PALMER; SARA RACHAL; KELVIN SALYERS; JOE AGUILERA;  
17 DAYSHENA THOMAS; SANDRA JONES; TIACHERELL DOTSON; A’LAYNA DOTSON,  
18 by and through her natural parent TIACHERELL DOTSON; CLEA ROBERTS; NELSON  
19 BLACKBURN; FLOYD GUENTHER; DOYLE MYERS; LAURA EDWARDS; ROY  
20 BACKHUS; JIMMY BROWN-LACY; DELMARKAS COMBS; CHARLES COUCH;  
21 STEPHANIE COUCH; ASHLEY ROGERS a minor, by and through her natural parent CHERYL  
22 ROGERS; CHERYL ROGERS; THELMA SYKES; TOMMY CALDERILLA were the persons  
23 who were injured;

24 146. As a result of experiencing their injuries and the fire, Plaintiffs suffered severe  
25 emotional distress.

26 147. As a direct and proximate result of the acts, omissions, and conduct of Defendants,  
27 Plaintiffs have suffered severe emotional distress.

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1           148. As a direct and proximate result of the conduct of Defendants described  
 2 hereinabove, Plaintiffs have sustained damages in excess of FIFTEEN THOUSAND DOLLARS  
 3 (\$15,000.00).

4           149. Defendants, and each of them, acted with fraud, oppression, and/or malice toward  
 5 Plaintiffs, exhibited an intention and willingness to injure Plaintiffs and/or a conscious disregard  
 6 for the rights and safety of the Plaintiffs, and Defendants should be punished and made an example  
 7 of by imposition of punitive or exemplary damages in an amount in excess of Fifteen Thousand  
 8 Dollars (\$15,000.00).

9           150. As a result of Defendants’ conduct, as set forth herein, Plaintiffs have been required  
 10 to retain the services of an attorney, and, as a direct, natural, and foreseeable consequence thereof,  
 11 have been damaged thereby, and are entitled to reasonable attorneys’ fees and costs.

X

**SEVENTH CAUSE OF ACTION**

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

(As to ALPINE MOTEL, OROZCO, and ALL NAMED DOES AND ROES)

16           151. Plaintiffs repeat and reallege each and every allegation set forth in this Complaint,  
 17 as though the same were fully set forth herein.

18           152. Defendants knowingly, recklessly and intentionally engaged in extreme and  
 19 outrageous conduct. Defendants did not provide adequate heating, did not install fire suppression  
 20 systems, an operating alarm system, operating smoke detectors, or safe means of egress, including  
 21 but not limited to preventing exits from operating, all in violation of applicable fire codes that  
 22 resulted in severe mental, emotional distress, fear, indignity, and humiliation to Plaintiffs.

23           153. As a proximate result of the extreme and outrageous conduct of Defendants,  
 24 Plaintiffs suffered and continues to suffer serious emotional distress.

25           154. Plaintiffs have suffered, and continues to suffer, serious emotional distress  
 26 causing injury and illness as a result of the extreme and outrageous negligent wrongful conduct of  
 27 the Defendants, all to his/her damage in an amount in excess of Fifteen Thousand Dollars  
 28 (\$15,000.00).

1 155. Defendants, and each of them, acted with fraud, oppression, and/or malice toward  
2 Plaintiffs, exhibited an intention and willingness to injure Plaintiffs and/or a conscious disregard  
3 for the rights and safety of the Plaintiffs, and Defendants should be punished and made an example  
4 of by imposition of punitive or exemplary damages in an amount in excess of Fifteen Thousand  
5 Dollars (\$15,000.00).

6 156. Due to Defendants' intentional wrongful conduct as alleged herein, Plaintiff has  
7 been required to retain the services of undersigned counsel and to incur attorney's fees and costs  
8 thereby.

9 **XI**

10 **EIGHTH CAUSE OF ACTION**

11 **LOSS OF CONSORTIUM for PLAINTIFFS MICHELLE AIKENS, DEJOY WILSON,**  
12 **JOHNATHAN WILSON, MATTHEW SYKES, CLEA ROBERTS, NELSON BLAKBURN**

13 (As to all Defendants)

14 157. That Plaintiffs repeat and reallege each and every allegation set forth in this  
15 Complaint, as though the same were fully set forth herein.

16 158. That as a direct and proximate result of the aforesaid negligence of Defendants,  
17 Plaintiff MICHELLE AIKENS, as the lawful wife of Plaintiff RICHARD AIKENS, was and is  
18 entitled to the society, comfort, affection, services, companionship, and consortium of her husband  
19 RICHARD AIKENS.

20 159. That, as a direct and proximate result of the aforesaid negligence of Defendants,  
21 Plaintiff DEJOY WILSON as the lawful wife of Plaintiff, JOHNATHAN WILSON has been  
22 denied the society, comfort, affection, services, companionship, and consortium of her husband  
23 JOHNATHAN WILSON.

24 160. That, as a direct and proximate result of the aforesaid negligence of Defendants,  
25 Plaintiff JOHNATHAN WILSON has been denied the society, comfort, affection, services,  
26 companionship, and consortium of his wife DEJOY WILSON.

27 161. That, as a direct and proximate result of the aforesaid negligence of Defendants,  
28 Plaintiff CLEA ROBERTS as the lawful wife of Plaintiff, NELSON BLACKBURN has been

1 denied the society, comfort, affection, services, companionship, and consortium of her husband  
2 NELSON BLACKBURN.

3 162. That, as a direct and proximate result of the aforesaid negligence of Defendants,  
4 Plaintiff MATTHEW SYKES as the lawful husband of Plaintiff, THELMA SYKES has been  
5 denied the society, comfort, affection, services, companionship, and consortium of his wife  
6 THELMA SYKES.

7 163. That, as a direct and proximate result of the aforesaid negligence of Defendants,  
8 Plaintiff NELSON BLACKBURN as the lawful husband of Plaintiff, CLEA ROBERTS has been  
9 denied the society, comfort, affection, services, companionship, and consortium of his wife CLEA  
10 ROBERTS.

11 164. Defendants, and each of them, acted with fraud, oppression, and/or malice toward  
12 Plaintiffs, exhibited an intention and willingness to injure Plaintiffs and/or a conscious disregard  
13 for the rights and safety of the Plaintiffs, and Defendants should be punished and made an example  
14 of by imposition of punitive or exemplary damages in an amount in excess of Fifteen Thousand  
15 Dollars (\$15,000.00).

16 165. As a result of Defendants' conduct, as set forth herein, Plaintiffs have been required  
17 to retain the services of an attorney, and, as a direct, natural, and foreseeable consequence thereof,  
18 have been damaged thereby, and are entitled to reasonable attorneys' fees and costs.

19 **XII**

20 **PRAYER FOR RELIEF**

21 WHEREFORE, Plaintiffs pray for judgment against Defendants, and each of them, as  
22 follows:

- 23 1. General damages in an amount in excess of Fifteen Thousand Dollars (\$15,000.00);
- 24 2. Compensatory damages in an amount in excess of Fifteen Thousand Dollars  
25 (\$15,000.00);
- 26 3. Special damages in an amount in excess of Fifteen Thousand Dollars (\$15,000.00);
- 27 4. Medical and/or incidental expenses incurred and to be incurred in excess of Fifteen  
28 Thousand Dollars (\$15,000.00);

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5. Defendants, and each of them, acted with fraud, oppression, and/or malice toward Plaintiffs, exhibited an intention and willingness to injure Plaintiffs and/or a conscious disregard for the rights and safety of the Plaintiffs, and Defendants should be punished and made an example of by imposition of punitive or exemplary damages in an amount in excess of Fifteen Thousand Dollars (\$15,000.00);

6. Damages for past and future pain, suffering, mental anguish, and loss of enjoyment of life in excess of Fifteen Thousand Dollars (\$15,000.00);

7. For pre- and post-judgment interest as provided by law;

8. Costs of suit, reasonable attorney fees, interest incurred herein;

9. For such other and further relief as is just and proper.

DATED this 11<sup>th</sup> day of May, 2020.

**EGLET ADAMS**

/s/Tracy A. Eglet, Esq.  
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Nevada Bar No. 3402  
TRACY A. EGLET, ESQ.  
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*Attorneys for Plaintiffs*



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**DEMAND FOR JURY TRIAL**

Plaintiffs, by and through their attorneys of record, **EGLET ADAMS**, hereby demand a jury trial of all of the issues in the above matter.

DATED this 11<sup>th</sup> day of May, 2020.

**EGLET ADAMS**

/s/Tracy A. Eglet, Esq.  
ROBERT T. EGLET, ESQ.  
Nevada Bar No. 3402  
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