

IN THE COURT OF COMMON PLEAS

LAKE COUNTY, OHIO

ROBERT PARMERTOR, Individually
and as Administrator of the Estate of
Daniel Parmertor, deceased
104 Sugarbush Glen
Chardon, Ohio 44024

and

DINA PARMERTOR, Individually and
as Administratrix of the Estate of Daniel
Parmertor, deceased
104 Sugarbush Glen
Chardon, Ohio 44024

and

JEANNIE KING, Individually and as
Administratrix of the Estate of Russell
King, Jr., deceased
205 Turner Drive
Chardon, Ohio 44024

and

RUSSELL KING
205 Turner Drive
Chardon, Ohio 44024

and

TODD M. MCKENNEY, Administrator
of the Estate of Demetrius Hewlin,
deceased
388 S. Main Street, Ste. 402
Akron, Ohio 44311

and

13CV000415
JOSEPH GIBSON

COMPLAINT

(Trial by Jury Requested)

PHYLLIS FERGUSON

115 Chardon Avenue

Chardon, Ohio 44024

Plaintiffs

VS.

THOMAS M. LANE, III

Inmate at Geauga County Safety Center

12450 Merritt Road

Chardon, Ohio 44024

and

**THOMAS LANE, Jr., Individually and
as natural parent of Thomas M. Lane, III**

6066 Thunderbird Drive

Mentor-on-the-Lake, Ohio 44060

and

**SARAH A. NOLAN, Individually and as
natural parent of Thomas M. Lane, III**

6066 Thunderbird Drive

Mentor-on-the-Lake, Ohio 44060

and

JACK NOLAN

**Individually and as custodial guardian
of Thomas M. Lane, III**

11546 Wilson Mills Road

Munson Township, Ohio 44024

and

CAROLE NOLAN

**Individually and as custodial guardian
of Thomas M. Lane, III**

11546 Wilson Mills Road

Munson Township, Ohio 44024

and

JOHN BRUENING)
16440 Chardon Windsor Road)
Huntsburg Township, Ohio 44046)
)
Defendants)

For their Complaint against Defendants, Thomas M. Lane, III, Thomas Lane, Jr., Sarah A. Nolan, Jack Nolan, Carole Nolan, and John Bruening, Plaintiffs allege as follows:

PARTIES

1. Plaintiff, Robert Parmertor, is a resident of Chardon, Geauga County, Ohio, and the surviving father and natural guardian of Danny Parmertor, deceased. He was appointed Administrator of his late son's estate and continues in that capacity to date. Plaintiff brings this wrongful-death action as the personal representative for the exclusive benefit of the survivors and next of kin of the deceased, including his parents.
2. Plaintiff, Dina Parmertor, is a resident of Chardon, Geauga County, Ohio, and the surviving mother and natural guardian of Daniel Parmertor, deceased. She was appointed Administratrix of her late son's estate and continues in that capacity to date. Plaintiff brings this wrongful-death action as the personal representative for the exclusive benefit of the survivors and next of kin of the deceased, including his parents.
3. Plaintiff, Jeannie King, is a resident of Chardon, Geauga County, Ohio, and the surviving mother and natural guardian of Russell King, Jr., deceased. She was appointed Administratrix of her late son's estate and continues in that capacity to date. Plaintiff brings this wrongful-death action as the personal representative for the exclusive benefit of the survivors and next of kin of the deceased.
4. Plaintiff, Russell King, is the surviving father and natural guardian of Russell King,

Jr., deceased.

5. Plaintiff, Todd M. McKenney, was appointed Administrator of Demetrius Hewlin's Estate, and continues in that capacity to date. Plaintiff brings this wrongful-death action as the personal representative for the exclusive benefit of the surviving next of kin of the deceased.

6. Plaintiff, Phyllis Ferguson, is the surviving mother and natural guardian of Demetrius Hewlin, deceased.

7. Defendant, Thomas M. Lane, III (hereinafter "Lane"), is currently over the age of eighteen (18), responsible for his own care, custody and control.

8. At all times relevant herein, Defendant, Thomas Lane, Jr., was and continues to be the lawful and natural parent of Thomas M. Lane, III, a minor at the time of the incident, responsible for his care, custody and control.

9. At all times relevant herein, Defendant, Sarah A. Nolan, was and continues to be the lawful and natural parent of Thomas M. Lane, III, a minor at the time of the incident, responsible for his care, custody and control.

10. At all times relevant herein, Defendants, Jack and Carole Nolan, are the grandparents of Lane and the custodial guardians of Thomas M. Lane, III, a minor at the time of the incident, and responsible for his care, custody and control.

11. At all times relevant herein, Defendant, John Bruening, was the uncle of Thomas M. Lane, III and owner of a Ruger MK III Target .22-caliber semi-automatic handgun used in the shooting, and was responsible for the proper and safe securing of the firearm.

FACTS

12. At all times relevant herein, Defendant, Thomas M. Lane, III, was a student at

Lake Academy in Willoughby, Ohio and was required to change buses at Chardon High School in order to get to school.

13. On or about February 27, 2012, Defendant, Lane, entered the Chardon High School cafeteria with a firearm he had obtained from his Uncle, Defendant John Bruening.

14. At that time, Lane shot Daniel Parmertor, Russell King, Jr., and Demetrius Hewlin, all of whom were sitting in the cafeteria either eating breakfast or waiting for a bus to take them to a local vocational school. Defendant Lane shot three other students who survived the assault.

15. Defendant Lane fired a total of ten (10) rounds of ammunition from Defendant John Bruening's firearm at close range at the Plaintiffs.

16. Following the shooting, Defendant Lane fled the building and was later apprehended by law enforcement authorities.

17. As a direct and proximate result of the shooting, Decedent Daniel Parmertor died from his gunshot wounds on February 27, 2013.

18. As a direct and proximate result of the shooting, Decedent Russell King, Jr., died from his gunshot wounds on February 28, 2013.

19. As a direct and proximate result of the shooting, Decedent Demetrius Hewlin died from his gunshot wounds on February 28, 2013.

20. On March 1, 2012, Defendant Lane was charged with three counts of aggravated murder, two counts of aggravated attempted murder, and one count of felonious assault.

21. In June, 2012, it was determined that Defendant, Lane, would be tried as an adult and he was indicted on the six charges that were filed earlier in March, 2012.

22. Defendant, Lane, has plead guilty to three (3) counts of Aggravated Murder with a Firearms Specification in Geauga County, Ohio.

Cause of Action of the Estate of Daniel Parmertor, Administrator of the Estate and his

surviving beneficiaries

FIRST COUNT

(Wrongful Death)

23. Plaintiffs incorporate by reference all of the previous allegations as if fully rewritten herein.

24. As a direct and proximate result of the assault, battery, and other torts committed by Defendant Lane, Daniel Parmertor, sustained severe and debilitating injuries and wounds that ultimately caused his death. In the manner aforementioned and to be otherwise established at trial, Defendants Thomas Lane, Jr., Sarah A. Nolan, Jack Nolan, Carole Nolan, and John Bruening facilitated, contributed to, and otherwise failed to prevent the fatal shooting.

25. As a direct and proximate result of Daniel Parmertor's death, his beneficiaries, including his parents and siblings, have suffered, and will continue to suffer, damages for the loss of his society over his life expectancy, including loss of companionship, consortium, care, assistance, protection, advice, guidance, counsel, instruction, training, and education.

26. As a direct and proximate result of his death, Daniel Parmertor's beneficiaries at the time of his death suffered damages for loss of support and loss of prospective inheritance.

27. As a direct and proximate result of his death, Daniel Parmertor's beneficiaries further suffered, and will continue to suffer, damages for mental anguish and emotional trauma.

28. As a direct and proximate result of Defendant, Lane's conduct and actions, Daniel

Parmertor's family and Estate incurred expenses necessary for his funeral and burial.

29. Daniel Parmertor's beneficiaries have been injured and damaged in a sum in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000.00).

SECOND COUNT

(Negligent Supervision against Defendants, Thomas Lane, Jr., Sarah A. Nolan, Jack Nolan, and Carole Nolan only)

30. Plaintiffs incorporate by reference all of the previous allegations as if fully rewritten herein.

31. Due to negligence in the supervision and control on the part of Defendants Thomas Lane, Jr. and Sarah A. Nolan as natural parents, and Defendants Jack Nolan and Carole Nolan as custodial grandparents, to exercise necessary influence, supervision, and/or authority over Defendant, Lane, the aforementioned attack upon Daniel Parmertor was facilitated, encouraged and/or allowed to occur.

32. Defendants Thomas Lane, Jr., Sarah A. Nolan, Jack Nolan, and Carole Nolan, knew or should have known that their negligent actions and omissions would result in severe physical and emotional injuries to Daniel Parmertor, including death.

33. As a direct and proximate result of the negligent actions and omissions of Defendants, Thomas Lane, Jr., Sarah A. Nolan, Jack Nolan, and Carole Nolan, Daniel Parmertor's beneficiaries have suffered and will continue to suffer, as aforementioned.

34. Daniel Parmertor's beneficiaries have been injured and damaged in a sum in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000.00).

THIRD COUNT

**(Parental Statutory Liability against Thomas Lane, Jr., Sarah A. Nolan, Jack Nolan and
Carole Nolan only)**

35. Plaintiffs incorporate by reference all of the previous allegations as if fully rewritten herein.

36. As a direct and proximate result of the aforementioned assault that was likely to produce great bodily harm including death, Plaintiffs have suffered, and will continue to suffer indefinitely, severe emotional injuries entitling them to relief against Defendants by authority of R.C. § 3109.10.

37. Plaintiffs are therefore entitled to a statutory award of Ten Thousand Dollars (\$10,000.00) from each natural parent of Defendant Lane and/or custodial guardian.

FOURTH COUNT

(Statutory Violations against Thomas M. Lane, III only)

38. Plaintiffs incorporate by reference all of the previous allegations as if fully rewritten herein.

39. At all times mentioned herein, Defendant, Lane's actions were in violation of R.C. §2903.01 (aggravated murder), as well as potentially other criminal statutes.

40. Pursuant to O.R.C. §2307.60(A)(1), Plaintiff is entitled to full compensatory damages, punitive damages, attorneys' fees, and costs as a result of Defendant's violations of these and potentially other criminal statutes.

41. Pursuant to O.R.C. §2307.60(A)(2), Defendant is prohibited from denying in this civil proceeding any facts essential to sustaining a judgment pursuant to these statutory causes of

action.

42. At all relevant times herein, Defendant, Lane's actions prior to and during the shooting incident represented a conscious disregard of the rights and safety of others, specifically Daniel Parmertor and the public at large.

43. Defendant, Lane's conduct was malicious, wilful and wanton and was substantially likely to cause harm, injury, and/or death to other citizens, including Daniel Parmertor.

FIFTH COUNT

(Survivorship)

44. Plaintiffs incorporate by reference all of the previous allegations as if fully rewritten herein.

45. As a direct and proximate result of the assault, battery, and other torts committed by Defendant Lane, Daniel Parmertor, sustained severe and debilitating injuries and wounds that ultimately caused his death. In the manner aforementioned and to be otherwise established at trial, Defendants Thomas Lane, Jr., Sarah A. Nolan, Jack Nolan, Carole Nolan, and John Bruening facilitated, contributed to, and otherwise failed to prevent the fatal shooting.

46. As a direct and proximate result of Defendant Lane's conduct, Daniel Parmertor suffered severe physical pain and mental anguish from the time of the incident until the time of his death, including knowledge of his impending death or injury.

47. As a direct and proximate result of Defendant Lane's conduct, Daniel Parmertor's estate has incurred medical bills and other expenses and has sustained property damage, including destruction of his clothing and personal property on him at the time of the incident.

48. As a direct and proximate result of Defendant Lane's conduct, the deceased, Daniel Parmertor suffered severe and conscious physical, emotional, and mental pain during the time of the incident, and from the time of the incident until his death several hours later.

49. As a direct and proximate result of Defendants' tortious actions and omission, Daniel Parmertor's estate has been injured and damaged in a sum in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000.00) for compensatory and punitive damages.

Cause of Action of Plaintiffs, Robert Parmertor and Dina Parmertor

FIRST COUNT

(Loss of Consortium)

50. Plaintiffs incorporate by reference all of the previous allegations as if fully rewritten herein.

51. As a direct and proximate result of Defendants' aforementioned actions and omissions, Plaintiffs, Dina Parmertor and Robert Parmertor, have incurred medical bills and other expenses and have been denied their lawful parental rights and the comfort, consortium and society of their son, Daniel Parmertor, from the time of the incident until the time of his death.

52. Daniel Parmertor's parents and beneficiaries have been injured and damaged in a sum in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000.00) for compensatory and punitive damages.

Cause of Action of the Estate of Russell King, Jr, Administrator of the Estate and his
surviving beneficiaries

FIRST COUNT

(Wrongful Death)

53. Plaintiffs incorporate by reference all of the previous allegations as if fully rewritten herein.

54. As a direct and proximate result of the assault, battery, and other torts committed by Defendant Lane, Russell King, Jr., sustained severe and debilitating injuries and wounds that ultimately caused his death. In the manner aforementioned and to be otherwise established at trial, Defendants Thomas Lane, Jr., Sarah A. Nolan, Jack Nolan, Carole Nolan, and John Bruening facilitated, contributed to, and otherwise failed to prevent the fatal shooting.

55. As a direct and proximate result of Russell King, Jr.'s death, his beneficiaries, including his parents and siblings, have suffered, and will continue to suffer, damages for the loss of his society over his life expectancy, including loss of companionship, consortium, care, assistance, protection, advice, guidance, counsel, instruction, training, and education.

56. As a direct and proximate result of his death, Russell King, Jr.'s beneficiaries at the time of his death suffered damages for loss of support and loss of prospective inheritance.

57. As a direct and proximate result of his death, Russell King, Jr.'s beneficiaries further suffered, and will continue to suffer, damages for mental anguish and emotional trauma.

58. As a direct and proximate result of Defendant, Lane's conduct and actions, Russell King, Jr.'s family and Estate incurred expenses necessary for his funeral and burial.

59. Russell King, Jr.'s beneficiaries have been injured and damaged in a sum in excess

of TWENTY FIVE THOUSAND DOLLARS (\$25,000.00).

SECOND COUNT

**(Negligent Supervision against Defendants, Thomas Lane, Jr., Sarah A. Nolan, Jack Nolan,
and Carole Nolan only)**

60. Plaintiffs incorporate by reference all of the previous allegations as if fully rewritten herein.

61. Due to negligence in the supervision and control on the part of Defendants Thomas Lane, Jr. and Sarah A. Nolan as natural parents, and Defendants Jack Nolan and Carole Nolan as custodial grandparents, to exercise necessary influence, supervision, and/or authority over Defendant, Lane, the aforementioned attack upon Russell King, Jr. was facilitated, encouraged and/or allowed to occur.

62. Defendants Thomas Lane, Jr., Sarah A. Nolan, Jack Nolan, and Carole Nolan, knew or should have known that their negligent actions and omissions would result in severe physical and emotional injuries to Russell King, Jr., including death.

63. As a direct and proximate result of the negligent actions and omissions of Defendants, Thomas Lane, Jr., Sarah A. Nolan, Jack Nolan, and Carole Nolan, Russell King, Jr.'s beneficiaries have suffered and will continue to suffer, as aforementioned.

64. Russell King, Jr.'s beneficiaries have been injured and damaged in a sum in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000.00).

THIRD COUNT

(Parental Statutory Liability against Thomas Lane, Jr., Sarah A. Nolan, Jack Nolan and Carole Nolan only)

65. Plaintiffs incorporate by reference all of the previous allegations as if fully rewritten herein.

66. As a direct and proximate result of the aforementioned assault that was likely to produce great bodily harm including death, Plaintiffs have suffered, and will continue to suffer indefinitely, severe emotional injuries entitling them to relief against Defendants by authority of R.C. § 3109.10.

67. Plaintiffs are therefore entitled to a statutory award of Ten Thousand Dollars (\$10,000.00) from each natural parent of Defendant Lane and/or custodial guardian.

FOURTH COUNT

(Statutory Violations against Thomas M. Lane, III only)

68. Plaintiffs incorporate by reference all of the previous allegations as if fully rewritten herein.

69. At all times mentioned herein, Defendant, Lane's actions were in violation of R.C. §2903.01 (aggravated murder), as well as potentially other criminal statutes.

70. Pursuant to O.R.C. §2307.60(A)(1), Plaintiff is entitled to full compensatory damages, punitive damages, attorneys' fees, and costs as a result of Defendant's violations of these and potentially other criminal statutes.

71. Pursuant to O.R.C. §2307.60(A)(2), Defendant is prohibited from denying in this civil proceeding any facts essential to sustaining a judgment pursuant to these statutory causes of

action.

72. At all relevant times herein, Defendant, Lane's actions prior to and during the shooting incident represented a conscious disregard of the rights and safety of others, specifically Russell King, Jr. and the public at large.

73. Defendant, Lane's conduct was malicious, wilful and wanton and was substantially likely to cause harm, injury, and/or death to other citizens, including Russell King, Jr.

FIFTH COUNT

(Survivorship)

74. Plaintiffs incorporate by reference all of the previous allegations as if fully rewritten herein.

75. As a direct and proximate result of the assault, battery, and other torts committed by Defendant Lane, Russell King, Jr., sustained severe and debilitating injuries and wounds that ultimately caused his death. In the manner aforementioned and to be otherwise established at trial, Defendants Thomas Lane, Jr., Sarah A. Nolan, Jack Nolan, Carole Nolan, and John Bruening facilitated, contributed to, and otherwise failed to prevent the fatal shooting.

76. As a direct and proximate result of Defendant Lane's conduct, Russell King, Jr. suffered severe physical pain and mental anguish from the time of the incident until the time of his death, including knowledge of his impending death or injury.

77. As a direct and proximate result of Defendant Lane's conduct, Russell King, Jr.'s estate has incurred medical bills and other expenses and has sustained property damage, including destruction of his clothing and personal property on him at the time of the incident.

78. As a direct and proximate result of Defendant Lane's conduct, the deceased, Russell King, Jr. suffered severe and conscious physical, emotional, and mental pain during the time of the incident, and from the time of the incident until his death the following day.

79. As a direct and proximate result of Defendants' tortious actions and omissions, Russell King, Jr.'s estate has been injured and damaged in a sum in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000.00) for compensatory and punitive damages.

Cause of Action of Plaintiffs, Jeannie King and Russell King

FIRST COUNT

(Loss of Consortium)

80. Plaintiffs incorporate by reference all of the previous allegations as if fully rewritten herein.

81. As a direct and proximate result of Defendants' aforementioned actions and omissions, Plaintiffs, Jeannie King and Russell King, have incurred medical bills and expenses and have been denied their lawful parental rights and the comfort, consortium and society of their son, Russell King, Jr., from the time of the incident until the time of his death.

82. Russell King, Jr.'s beneficiaries have been injured and damaged in a sum in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000.00) for compensatory and punitive damages.

LAW OFFICES

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(216) 771-3239

**Cause of Action of the Estate of Demetrius Hewlin, Administrator of the Estate and his
surviving beneficiaries**

FIRST COUNT

(Wrongful Death)

83. Plaintiffs incorporate by reference all of the previous allegations as if fully rewritten herein.

84. As a direct and proximate result of the assault, battery, and other torts committed by Defendant Lane, Demetrius Hewlin, sustained severe and debilitating injuries and wounds that ultimately caused his death. In the manner aforementioned and to be otherwise established at trial, Defendants Thomas Lane, Jr., Sarah A. Nolan, Jack Nolan, Carole Nolan, and John Bruening facilitated, contributed to, and otherwise failed to prevent the fatal shooting.

85. As a direct and proximate result of Demetrius Hewlin's death, his beneficiaries, including his parents and siblings, have suffered, and will continue to suffer, damages for the loss of his society over his life expectancy, including loss of companionship, consortium, care, assistance, protection, advice, guidance, counsel, instruction, training, and education.

86. As a direct and proximate result of his death, Demetrius Hewlin's beneficiaries at the time of his death suffered damages for loss of support and loss of prospective inheritance.

87. As a direct and proximate result of his death, Demetrius Hewlin's beneficiaries further suffered, and will continue to suffer, damages for mental anguish and emotional trauma.

88. As a direct and proximate result of Defendant, Lane's conduct and actions, Demetrius Hewlin's family and Estate incurred expenses necessary for his funeral and burial.

89. Demetrius Hewlin's beneficiaries have been injured and damaged in a sum in excess

of TWENTY FIVE THOUSAND DOLLARS (\$25,000.00).

SECOND COUNT

(Negligent Supervision against Defendants, Thomas Lane, Jr., Sarah A. Nolan, Jack Nolan, and Carole Nolan only)

90. Plaintiffs incorporate by reference all of the previous allegations as if fully rewritten herein.

91. Due to negligence in the supervision and control on the part of Defendants Thomas Lane, Jr. and Sarah A. Nolan as natural parents, and Defendants Jack Nolan and Carole Nolan as custodial grandparents, to exercise necessary influence, supervision, and/or authority over Defendant, Lane, the aforementioned attack upon Demetrius Hewlin was facilitated, encouraged and/or allowed to occur.

92. Defendants Thomas Lane, Jr., Sarah A. Nolan, Jack Nolan, and Carole Nolan, knew or should have known that their negligent actions and omissions would result in severe physical and emotional injuries to Demetrius Hewlin, including death.

93. As a direct and proximate result of the negligent actions and omissions of Defendants, Thomas Lane, Jr., Sarah A. Nolan, Jack Nolan, and Carole Nolan, Demetrius Hewlin's beneficiaries have suffered and will continue to suffer, as aforementioned.

94. Demetrius Hewlin's beneficiaries have been injured and damaged in a sum in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000.00).

THIRD COUNT

**(Parental Statutory Liability against Thomas Lane, Jr., Sarah A. Nolan, Jack Nolan and
Carole Nolan only)**

95. Plaintiffs incorporate by reference all of the previous allegations as if fully rewritten herein.

96. As a direct and proximate result of the aforementioned assault that was likely to produce great bodily harm including death, Plaintiffs have suffered, and will continue to suffer indefinitely, severe emotional injuries entitling them to relief against Defendants by authority of R.C. § 3109.10.

97. Plaintiffs are therefore entitled to a statutory award of Ten Thousand Dollars (\$10,000.00) from each natural parent of Defendant Lane and/or custodial guardian.

FOURTH COUNT

(Statutory Violations against Thomas M. Lane, III only)

98. Plaintiffs incorporate by reference all of the previous allegations as if fully rewritten herein.

99. At all times mentioned herein, Defendant, Lane's actions were in violation of R.C. §2903.01 (aggravated murder), as well as potentially other criminal statutes.

100. Pursuant to O.R.C. §2307.60(A)(1), Plaintiff is entitled to full compensatory damages, punitive damages, attorneys' fees, and costs as a result of Defendant's violations of these and potentially other criminal statutes.

101. Pursuant to O.R.C. §2307.60(A)(2), Defendant is prohibited from denying in this civil proceeding any facts essential to sustaining a judgment pursuant to these statutory causes of

action.

102. At all relevant times herein, Defendant, Lane's actions prior to and during the shooting incident represented a conscious disregard of the rights and safety of others, specifically Demetrius Hewlin and the public at large.

103. Defendant, Lane's conduct was malicious, wilful and wanton and was substantially likely to cause harm, injury, and/or death to other citizens, including Demetrius Hewlin.

FIFTH COUNT

(Survivorship)

104. Plaintiffs incorporate by reference all of the previous allegations as if fully rewritten herein.

105. As a direct and proximate result of the assault, battery, and other torts committed by Defendant Lane, Demetrius Hewlin, sustained severe and debilitating injuries and wounds that ultimately caused his death. In the manner aforementioned and to be otherwise established at trial, Defendants Thomas Lane, Jr., Sarah A. Nolan, Jack Nolan, Carole Nolan, and John Bruening facilitated, contributed to, and otherwise failed to prevent the fatal shooting.

106. As a direct and proximate result of Defendant Lane's conduct, Demetrius Hewlin suffered severe physical pain and mental anguish from the time of the incident until the time of his death, including knowledge of his impending death or injury.

107. As a direct and proximate result of Defendant Lane's conduct, Demetrius Hewlin's estate has incurred medical bills and other expenses and has sustained property damage, including destruction of his clothing and personal property on him at the time of the incident.

litigation expenses, the costs of this action, and any legal, equitable, or declaratory relief deemed appropriate. Trial by jury is requested.

RESPECTFULLY SUBMITTED,

Peter Marmaros/per consent

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