

FILED-2

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION**

2017 JUN 26 PM 12:11

CIRCUIT COURT OF COOK COUNTY, ILLINOIS
LAW DIVISION

CLERK OF COURT

CHRISTINA NELSON, Special Administrator of
the ESTATE OF GRANT T. NELSON,
Deceased,

Plaintiff,

v.

WAL-MART STORES, INC., a corporation;
WAL-MART REAL ESTATE BUSINESS
TRUST, a corporation; MONTERREY
SECURITY CONSULTANTS, INC., a
corporation; and UNIVERSAL PROTECTION
SERVICE, LLC, a corporation, d/b/a ALLIED
UNIVERSAL SECURITY SERVICE, d/b/a
ALLIED UNIVERSAL,

Defendants.

2017L006408
CALENDAR/ROOM B
TIME 00:00
PI Other

No.

Plaintiff Demands Trial by Jury

COMPLAINT AT LAW

Plaintiff, CHRISTINA NELSON, Special Administrator of the ESTATE OF GRANT T. NELSON, Deceased, complaining of defendants, WAL-MART STORES, INC., a corporation, and WAL-MART REAL ESTATE BUSINESS TRUST, a corporation (hereinafter collectively referred to as "Wal-Mart"); MONTERREY SECURITY CONSULTANTS, INC., a corporation (hereinafter referred to as "Monterrey Security"); and UNIVERSAL PROTECTION SERVICE, LLC., a corporation, d/b/a ALLIED UNIVERSAL SECURITY SERVICE, d/b/a ALLIED UNIVERSAL, a company (hereinafter referred to as "Allied Universal"), and each of them, states:

COUNT I

Negligence - Wrongful Death - Wal-Mart

1. On May 30, 2017 Wal-Mart owned, operated and managed a retail store located at 3626 Touhy Avenue, Skokie, Cook County, Illinois.
2. On and before May 30, 2017, at the above location, Wal-Mart positioned agents at the exit doors to monitor people leaving the store and to check receipts of customers.
3. On May 30, 2017, at the above location, at approximately 3:00 a.m., Eliza Wasni entered the store.
4. At the time and place aforesaid, Eliza Wasni took a machete and a knife from the display counter where they were located and walked around the store with the machete and knife in her hands.
5. At the time and place aforesaid, without purchasing the machete and knife, Eliza Wasni exited the Wal-Mart store with the machete and knife in her hands.
6. At the time and place aforesaid, as Eliza Wasni was exiting the store, there were two Wal-Mart agents and/or employees standing immediately in front of the exit doors and Eliza Wasni passed within feet of each of these agents.
7. At the time and place aforesaid, as Eliza Wasni was exiting the store with the machete and knife that she had not purchased, she was not stopped, questioned in any way, or asked to show a receipt by any employee and/or agent of Wal-Mart.
8. After exiting the store, Eliza Wasni called for an Uber ride and got into an Uber vehicle driven by Grant T. Nelson.

9. After entering the car driven by Grant T. Nelson, Eliza Wasni proceeded to attack Grant T. Nelson with the machete and knife and inflicted injuries that resulted in his death.

10. On May 30, 2017, Wal-Mart was negligent in one or more of the following ways:

- a. Failed to follow its internal policy requiring an agent to check whether Eliza Wasni had a receipt for the items she carried out of the store;
- b. Allowed Eliza Wasni unfettered access to dangerous items, including a machete and knife;
- c. Failed to adequately monitor Eliza Wasni as she walked throughout the store with dangerous items, including a machete and a knife;
- d. Allowed Eliza Wasni to exit the store without showing any proof to any agent that she had purchased the items she carried with her; and/or
- e. Failed to station an armed security guard at or near the exit doors.

11. As a proximate result of one or more of the foregoing negligent acts or omissions, plaintiff's decedent, Grant T. Nelson, suffered injuries which resulted in his death on May 30, 2017.

12. Plaintiff's decedent, Grant T. Nelson, left surviving him as his heirs and next of kin, his mother, Christina Nelson; his father, Leonard Nelson; his sister, Alexandra Nelson; and his brother, Todd Nelson, all of whom sustained pecuniary loss as a result of his death, including loss of love, guidance, affection, companionship, society, and grief.

13. Plaintiff, Christina Nelson, is the Court appointed Special Administrator of the Estate of Grant T. Nelson, Deceased, and brings this action pursuant to 740 Illinois Compiled Statutes 180/1 *et seq.*, commonly known as the Illinois Wrongful Death Act.

WHEREFORE, plaintiff, Christina Nelson, Special Administrator of the Estate of Grant T. Nelson, Deceased, demands judgment against defendants, Wal-Mart Stores, Inc. and

Wal-Mart Real Estate Business Trust, and each of them, in an amount in excess of the minimum amount required for jurisdiction in the Law Division of the Circuit Court of Cook County, Illinois.

COUNT II

Negligence - Wrongful Death - Monterrey Security

1. On May 30, 2017 Wal-Mart owned, operated and managed a retail store located at 3626 Touhy Avenue, Skokie, Cook County, Illinois.

2. On and before May 30, 2017, at the above location, Wal-Mart contracted with Monterrey Security to provide in-store security.

3. On and before May 30, 2017, at the above location, Monterrey Security had an employee on-site providing security services.

4. On May 30, 2017, at the above location, at approximately 3:00 a.m., Eliza Wasni entered the store.

5. At the time and place aforesaid, Eliza Wasni took a machete and a knife from the display counter where they were located and walked around the store with the machete and knife in her hands.

6. At the time and place aforesaid, without purchasing the machete and knife, Eliza Wasni exited the Wal-Mart store with the machete and knife in her hands.

7. At the time and place aforesaid, as Eliza Wasni was exiting the store with the machete and knife that she had not purchased, she was not stopped, questioned in any way or asked to show a receipt by any employee and/or agent of Wal-Mart.

8. After exiting the store, Eliza Wasni called for an Uber ride and got into an Uber vehicle driven by Grant T. Nelson.

9. After entering the car driven by Grant T. Nelson, Eliza Wasni proceeded to attack Grant T. Nelson with the machete and knife and inflicted injuries that resulted in his death.

10. On May 30, 2017 Monterrey Security was negligent in one or more of the following ways:

- a. Failed to adequately monitor the Wal-Mart store;
- b. Failed to detect Eliza Wasni with stolen goods exiting the store; and/or
- c. Failed to stop Eliza Wasni from exiting the store with dangerous and stolen goods.

11. As a proximate result of one of more of the foregoing negligent acts or omissions, plaintiff's decedent, Grant T. Nelson, suffered injuries which resulted in his death on May 30, 2017.

12. Plaintiff's decedent, Grant T. Nelson, left surviving him as his heirs and next of kin, his mother, Christina Nelson; his father, Leonard Nelson; his sister, Alexandra Nelson; and his brother, Todd Nelson, all of whom sustained pecuniary loss as a result of his death, including loss of love, guidance, affection, companionship, society, and grief.

13. Plaintiff, Christina Nelson, is the Court appointed Special Administrator of the Estate of Grant T. Nelson, Deceased, and brings this action pursuant to 740 Illinois Compiled Statutes 180/1 *et seq.*, commonly known as the Illinois Wrongful Death Act.

WHEREFORE, plaintiff, Christina Nelson, Special Administrator of the Estate of Grant T. Nelson, Deceased, demands judgment against defendant, Monterrey Security Consultants,

Inc., in an amount in excess of the minimum amount required for jurisdiction in the Law Division of the Circuit Court of Cook County, Illinois.

COUNT III

Negligence - Wrongful Death - Allied Universal

1. On May 30, 2017 Wal-Mart owned, operated and managed a retail store located at 3626 Touhy Avenue, Skokie, Cook County, Illinois.

2. On and before May 30, 2017, at the above location, Wal-Mart contracted with Allied Universal to position Allied Universal employees at the exit doors to monitor people leaving the store and to check receipts of customers.

3. On May 30, 2017, at the above location, at approximately 3:00 a.m., Eliza Wasni entered the store.

4. At the time and place aforesaid, Eliza Wasni took a machete and a knife from the display counter where they were located and walked around the store with the machete and knife in her hands.

5. At the time and place aforesaid, without purchasing the machete and knife, Eliza Wasni exited the Wal-Mart store with the machete and knife in her hands.

6. At the time and place aforesaid, as Eliza Wasni was exiting the store, there was an employee of Allied Universal standing immediately in front of the exit doors and Eliza Wasni passed within feet of this employee.

7. At the time and place aforesaid, as Eliza Wasni was exiting the store, she was not in any way stopped and/or asked to show a receipt by the employee of Allied Universal.

8. After exiting the store, Eliza Wasni called for an Uber ride and got into an Uber vehicle driven by Grant T. Nelson.

9. After entering the car driven by Grant T. Nelson, Eliza Wasni proceeded to attack Grant T. Nelson with the machete and knife and inflicted injuries that resulted in his death.

10. On May 30, 2017, Allied Universal was negligent in one or more of the following ways:

- a. Failed to check whether Eliza Wasni had a receipt for the items she carried out of the store; and/or
- b. Allowed Eliza Wasni to exit the store without showing any proof that she had purchased the items she carried with her.

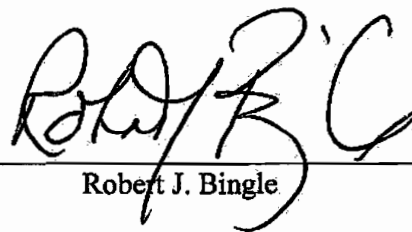
11. As a proximate result of one of both of the foregoing negligent acts or omissions, plaintiff's decedent, Grant T. Nelson, suffered injuries which resulted in his death on May 30, 2017.

12. Plaintiff's decedent, Grant T. Nelson, left surviving him as his heirs and next of kin, his mother, Christina Nelson; his father, Leonard Nelson; his sister, Alexandra Nelson; and his brother, Todd Nelson, all of whom sustained pecuniary loss as a result of his death, including loss of love, guidance, affection, companionship, society, and grief.

13. Plaintiff, Christina Nelson, is the Court appointed Special Administrator of the Estate of Grant T. Nelson, Deceased, and brings this action pursuant to 740 Illinois Compiled Statutes 180/1 *et seq.*, commonly known as the Illinois Wrongful Death Act.

WHEREFORE, plaintiff, Christina Nelson, Special Administrator of the Estate of Grant T. Nelson, Deceased, demands judgment against defendant, Universal Protection Service, LLC, d/b/a Allied Universal Security Service, d/b/a Allied Universal, in an amount in excess of the

minimum amount required for jurisdiction in the Law Division of the Circuit Court of Cook
County, Illinois.



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