

IN THE COMMON PLEAS COURT OF FRANKLIN COUNTY, OHIO

Charlee Cooper, individually and o/b/o the
Estate of Paris Royal

Case No.:

Judge

Plaintiff,

vs.

The Kroger Co.
1014 Vine Street
Cincinnati, Ohio 45202

And

John Doe Security Guard
(Name Unknown)
(Address Unknown)

And

John Doe Corporations (1 – 5)
(Name Unknown)
(Address Unknown)

And

John Doe Tortfeasors (1 – 5)
(Name Unknown)
(Address Unknown)

Defendants.

COMPLAINT

1. Plaintiff Charlee Cooper is a resident of Franklin County, Ohio and is the mother of Decedent Paris Royal. She brings this action individually and on behalf of the estate of Paris Royal.

2. At all relevant times, Paris Royal (“Paris” or “Decedent”) was a resident of Franklin County, Ohio.

3. Defendants The Kroger Co. and/or John Doe Corporations (1 – 5) are corporations and/or other business entities doing business in the State of Ohio, which owned or operated directly or indirectly through its agent and/or partner and/or franchisee and/or via other business a Kroger supermarket located at 3600 Soldano Boulevard, Franklin County, Columbus Ohio (hereinafter, “Kroger” or “the supermarket”) on or about January 15, 2023.

4. At all relevant times, Defendant John Doe Security Guard (“security guard”) is an individual employed by The Kroger Co. and/or John Doe Corporations (1 - 5), was working in a security guard role on the Kroger premises, and was in the course and scope of his employment for The Kroger Co. and/or John Doe Corporations (1-5) on or about January 15, 2023. John Doe Corporations (1-5)’s real name and address are currently unknown and could not be discovered through reasonable diligence by Plaintiff’s counsel prior to filing this action.

5. Defendants John Doe Corporations (1 – 5) are corporations and/or other business entities doing business in the State of Ohio, and who’s name(s) and address(es) are currently unknown and could not be discovered through reasonable diligence by Plaintiff’s counsel prior to filing this action.

6. Jurisdiction and venue are appropriate for Franklin County Court of Common Pleas, Ohio.

General Allegations

7. Plaintiff restates and incorporates by reference the preceding paragraphs as though fully rewritten herein.

8. On or about January 15, 2023, 26-year-old Paris was shot to death in a horrific altercation with a security guard upon the Kroger supermarket premises.

9. Paris was an invitee and/or guest on the premises of the aforementioned Kroger supermarket.

10. As Paris lawfully entered the premises to check on the well-being of his girlfriend, who had been shopping within the supermarket, Paris was confronted by the aforementioned security guard.

11. The security guard engaged in a physical altercation with Paris. Decedent at all times was acting with due care for his own safety and/or that of others nearby.

12. During this altercation, the security guard unreasonably exercised deadly force by drawing his firearm and shooting Paris.

COUNT ONE – Kroger Negligence

13. Plaintiff hereby incorporates each and every allegation contained in paragraphs 1 through 13 of the Complaint as if fully rewritten here.

14. At the aforesaid time and place, the Defendant, The Kroger Co., failed to exercise ordinary care for the Decedent's safety in that they, among other things, (1) failed to avoid injuring a customer by negligent activities, (2) failed to adequately train employees; (4) failed to adequately supervise employees; (5) failed to use reasonable care to prevent the negligent acts of third parties that could harm store patrons; and/or (6) otherwise acted negligently.

15. As the direct and proximate result of the aforementioned negligent actions of the Defendant, The Kroger Co., Paris sustained fatal injuries that caused his death.

16. As a further result thereof, Decedent Paris Royal experienced physical pain and suffering and attendant emotional distress.

17. As a further result thereof, Decedent Paris Royal incurred medical expenses.

18. As a further result thereof, Plaintiff Charlee Cooper, the Decedent's mother, experienced severe and ongoing emotional suffering and distress.

COUNT TWO – John Doe Corporation Negligence

19. Plaintiff hereby incorporates each and every allegation contained in paragraphs 1 through 19 of the Complaint as if fully rewritten here.

20. At the aforesaid time and place, the Defendant, John Doe Corporations (1 – 5), failed to exercise ordinary care for the Decedent’s safety in that they, among other things, (1) failed to avoid injuring a customer by negligent activities, (2) failed to adequately train employees; (4) failed to adequately supervise employees; (5) failed to use reasonable care to prevent the negligent acts of third parties that could harm store patrons; and/or (6) otherwise acted negligently.

21. As the direct and proximate result of the aforementioned negligent actions of the Defendant, John Doe Corporations (1 – 5), the Decedent and Plaintiff sustained injuries as described above.

COUNT THREE – Security Guard Negligence

22. Plaintiff hereby incorporates each and every allegation contained in paragraphs 1 through 21 of the Complaint as if fully rewritten here.

23. At the aforesaid time and place, the Defendant, John Doe Security Guard, failed to exercise ordinary care for the Decedent’s safety in that he, among other things, (1) failed to avoid injuring a customer by negligent activities; (2) threatened supermarket patrons with unnecessary deadly violence; (3) responded to the Decedent with disproportionate aggression and unreasonable use of deadly force; and/or (4) otherwise acted negligently.

24. As the direct and proximate result of the aforementioned negligent actions of the Defendant, John Doe Security Guard, the Decedent and Plaintiff sustained injuries as described above.

WHEREFORE, the Plaintiff, Charlee Cooper, individually and on behalf of the estate of Paris Royal, demands judgment against the Defendants, The Kroger Co., John Doe Security Guard, John Doe Tortfeasors (1 – 5), and/or John Doe Corporations (1 - 5), jointly, severally, or in the alternative,

in an amount in excess of \$25,000.00 for compensatory damages in each claim for relief, or other damages to which she may be entitled, including her costs and interest herein, pre-judgment interest, if appropriate, and for such other and further relief as may be necessary and proper.

/s/ Chanda L. Brown

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