

COUNSEL OF RECORD

CASE NO.: 3AN-23-05339 CI

KEEP ON TOP OF FILE

NAME	MAILING ADDRESS & PHONE NUMBER	FOR WHOM
Matthew Singer Peter A. Scully	Schwabe, Williamson & Wyatt, P.C. 420 L Street, Suite 400, Anchorage, AK 99501 (907) 339-7125	Plaintiff

TF-900 (3/00)(5 ½ X 8 ½)(canary cdsk)

CASE DESCRIPTION – SUPERIOR COURT

 Case Number: 3AN-23 -05339 CI

Type of Action		For Court Use Only	
Check the box that best describes the case. Mark one box only.		Case Type	Action Code
Tort (unlawful act that causes harm, other than breach of contract)			
<input checked="" type="checkbox"/> Wrongful Death		Civil Superior Court	CISPID
<input type="checkbox"/> Automobile Tort (but not wrongful death)		Civil Superior Court	CISIDA
<input type="checkbox"/> Claim against Owner of Real Property for Personal Injury		Civil Superior Court	CISPIO
<input type="checkbox"/> Product Liability (defective item from manufacturer or seller)		Civil Superior Court	CISPL
<input type="checkbox"/> Intentional Tort (for example: assault, battery, vandalism)		Civil Superior Court	CISIT
<input type="checkbox"/> Slander/Libel/Defamation		Civil Superior Court	CISSLD
<input type="checkbox"/> Other Tort		Civil Superior Court	CISIDO
<input type="checkbox"/> Approval of Minor Settlement – Civil Petition <i>May also be filed as probate case.</i>		Superior Court Misc Petition	CISPET
Out-of-State Judgment <i>[For Domestic Relations judgments, select from last four options under that category.]</i>			
<input type="checkbox"/> Registration of Out-of-State Money Judgment		Foreign Judgment Superior Ct	CISFOJ
<input type="checkbox"/> Registration of Out-of-State Non-Money Judgment		Superior Court Misc Petition	CISPET
Other Civil			
<input type="checkbox"/> Election Contest or Recount Appeal		Civil Superior Court	CISELE
<input type="checkbox"/> Change of Name - Adult		Change of Name	CICON
<input type="checkbox"/> Change of Name - Minor		Change of Name	CICONM
<input type="checkbox"/> Confession of Judgment (all sides agree to entry of court order - not domestic relations)		Civil Superior Court	CISCONF
<input type="checkbox"/> Structured Settlement – AS 09.60.200		Superior Court Misc Petition	CISSS
<input type="checkbox"/> Administrative Agency Proceeding – Request for Court Assistance		Superior Court Misc Petition	CISWRNT
<input type="checkbox"/> Arbitration - Action under Uniform Arbitration Act		Civil Superior Court	CISAP
<input type="checkbox"/> Fraud		Civil Superior Court	CISFRAUD
<input type="checkbox"/> Unfair Trade Practice and Consumer Protection		Civil Superior Court Clerk: Issue form CIV-128	CISUTP
<input type="checkbox"/> Writ of Habeas Corpus (request for review of legality of detention)		Civil Superior Court	CIWHC
<input type="checkbox"/> Fish & Game - Abatement & Forfeiture of Equipment		Superior Court Misc Petition	CISAF
<input type="checkbox"/> Appointment of Trustee Counsel		Superior Court Misc Petition	CISTC
<input type="checkbox"/> Action under Alaska Securities Act		Civil Superior Court	CISASA
<input type="checkbox"/> Quarantine and Isolation		Superior Court Misc Petition	CISQI
<input type="checkbox"/> Other Superior Court Complaint		Civil Superior Court	CISOCI
<input type="checkbox"/> Other Superior Court Petition		Superior Court Misc Petition	CISPET
Post-Conviction Relief to Superior Court			
<input type="checkbox"/> Post-Conviction Relief (after felony or misdemeanor conviction and sentencing in superior court)		Post-Conviction Relief-Sup Ct	CISPCR
Appeal to Superior Court - From Administrative Agency			
<input type="checkbox"/> Election Contest or Recount Appeal – <i>see other civil</i>			
<input type="checkbox"/> Department of Motor Vehicles (DMV) Appeal		Appeal from Admin Agency	CIADDMV
<input type="checkbox"/> Employment Security and Unemployment Benefits Appeal		Appeal from Admin Agency	CIADRESA
<input type="checkbox"/> Administrative Agency Appeal - Other		Appeal from Admin Agency	CIADR
<input type="checkbox"/> Request for Relief from Child Support Services Division (CSSD) License Action		Petition for Review or Relief	CICSED
<input type="checkbox"/> Request for Review of Non-Final Administrative Agency Decision		Petition for Review or Relief	CIPRA
<input type="checkbox"/> Request for Relief from Administrative Agency Delay - AS 44.62.305		Petition for Review or Relief	CIPRLF
Appeal to Superior Court - From District Court			
<input type="checkbox"/> Civil Appeal		Appeal from District Court	CIACI2
<input type="checkbox"/> Criminal Appeal		Appeal from District Court	CIACRM
<input type="checkbox"/> Minor Offense Appeal		Appeal from District Court	CIAMO
<input type="checkbox"/> Small Claims Appeal		Appeal from District Court	CIASC
<input type="checkbox"/> Request for Review of Civil, Criminal, or Minor Offense Case Decision		Petition for Review or Relief	CIPRD2

**For more information on how to determine whether to file in Superior Court or District Court,
see form CIV-126, Information Sheet - Superior vs. District Court**

1 IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

2 THIRD JUDICIAL DISTRICT AT ANCHORAGE

3 WAYNE ESKI, as Personal Representative)
4 of the Estate of Petr Kellner, deceased, on)
5 behalf of statutory beneficiaries RENÁTA)
6 KELLNEROVÁ, PETR KELLNER,)
7 ANNA KELLNEROVÁ, LARA)
8 KELLNEROVÁ, and MARIE ISABELLA)
9 KELLNEROVÁ,)

10 Plaintiff,)

11 v.)

Case No. 3AN-23-05339 CI

12 SOLOY HELICOPTERS, LLC,)
13 TRIUMVIRATE LLC d/b/a)
14 TORDRILLO MOUNTAIN LODGE,)
15 and THIRD EDGE ALASKA, LLC,)

16 Defendants.)

17 **COMPLAINT**

18 Plaintiff Wayne Eski, as Personal Representative of the Estate of Petr Kellner,
19 by and through his attorneys, for his complaint against Defendants Soloy Helicopters,
20 LLC, Triumvirate LLC d/b/a Tordrillo Mountain Lodge, and Third Edge Alaska, LLC,
21 claims and alleges as follows:

22 **PARTIES**

23 1. Plaintiff Wayne Eski was appointed Personal Representative of the Estate
24 of Petr Kellner ("Estate") by the Alaska Probate Court in Case No. 3AN-23-00669PR,
25 for the purpose of representing the Estate in this action. Mr. Eski is a resident of
26 Anchorage and has the authority to act on behalf of the Estate, Mr. Kellner's heirs, and

1 on behalf of the wrongful death beneficiaries, including Mr. Kellner's wife and
2 surviving children, pursuant to AS 13.16.410(22), AS 09.55.570, and AS 09.55.580.

3 2. Defendant Soloy Helicopters, LLC ("Soloy") is an Alaska limited
4 liability company doing business within the Third Judicial District. Soloy is and was a
5 14 C.F.R. Part 135 commercial charter operator and registered air carrier.

7 3. Defendant Triumvirate LLC, is an Alaska limited liability company doing
8 business within the Third Judicial District as Tordrillo Mountain Lodge ("TML").
9 TML is a resort and lodge that, among other things, charters heli-skiing trips for its
10 customers in Alaska.

12 4. Defendant Third Edge Alaska, LLC ("Third Edge") was an Alaska
13 limited liability company doing business within the Third Judicial District as a provider
14 of heli-skiing guide and other operational services. Third Edge was administratively
15 dissolved on March 15, 2022. It remains liable for the conduct alleged in this Complaint
16 because it failed to follow the procedures for discharging claims set forth in
17 AS 10.50.430 and AS 10.50.440.

18 JURISDICTION AND VENUE

19 5. The Court has subject matter jurisdiction under AS 22.10.020.

20 6. The Court has personal jurisdiction over all parties under AS 09.05.015.

21 7. Venue is proper under AS 22.10.030 and Alaska Civil Rule 3(c)(2).

GENERAL ALLEGATIONS

8. Petr Kellner died from injuries he sustained as a passenger on an Airbus AS350-B3 helicopter, Registration No. N351SH (the "Helicopter"), that crashed approximately 21 miles southeast of Palmer, Alaska, during a heli-skiing trip on March 27, 2021 (the "Accident" or "Accident Flight"). Mr. Kellner was a citizen and resident of the Czech Republic. He is survived by his wife Renáta Kellnerová, and his children Petr Kellner, Anna Kellnerová, Lara Kellnerová, and Marie Isabella Kellnerová.

9. Soloy, TML, and Third Edge (the "Operators") acted in concert to provide Mr. Kellner transport, lodging, guide, and other operational services before, during, and after the heli-skiing trip.

10. The Accident Flight began at approximately 14:40 when the Helicopter departed Wasilla Airport to pick up Mr. Kellner and the other passengers at a residence on Wasilla Lake. Soloy employee Zachary Russell piloted the Helicopter.

11. The Helicopter departed the residence with Mr. Kellner and the other passengers at approximately 15:43 and arrived at the heli-skiing area at approximately 16:02.

12. Mr. Kellner and the other passengers skied between approximately 16:12 and 18:07 with the Helicopter flying multiple legs during that period.

13. The Helicopter departed for another leg at approximately 18:27.

14. At approximately 18:33, the Helicopter was flying over a ridgeline at an altitude of 6,266 feet and a groundspeed of one knot.

1 15. The Accident occurred at approximately 18:35, when the Helicopter was
2 attempting to maneuver over the ridgeline. The Helicopter's GPS data ceased at
3 approximately 18:36 near the final resting point of the Helicopter's wreckage.
4

5 16. Mr. Kellner suffered serious injuries but survived the initial impact and
6 was alive and conscious after the Accident.

7 17. The Operators should have known about the Accident immediately after
8 it happened, but they had failed to monitor the location and status of the Helicopter.
9 They failed to maintain constant contact with the pilot and guide; failed to maintain
10 line-of-sight with the Helicopter; and failed to establish and/or execute pre-flight plans
11 and procedures, including but not limited to the use of pre-planned check-in times,
12 routes, ski runs, and landing zones. Taking these precautions should have promptly
13 alerted the Operators of the need for an emergency response and location of their
14 passengers.
15

16 18. Upon information and belief, an emergency location transmitter ("ELT")
17 installed in the Helicopter did not activate upon impact. ELTs are designed to send a
18 distress signal to rescue authorities and others upon an aircraft's impact following a
19 crash. Upon information and belief, the ELT failed to activate because the Operators
20 failed to ensure that the device was properly installed, operated, and maintained.
21

22 19. If the Operators had been monitoring the location and status of the
23 Helicopter, or if they had properly installed, operated, and maintained the ELT, they
24 would have known about the Accident immediately after it happened and could have
25
26

1 initiated a prompt emergency response. Upon information and belief, the Operators had
2 helicopters at their disposal that could have been dispatched to the Accident site within
3 minutes to locate and render emergency aid and transport to their passengers, including
4 Mr. Kellner, for life-saving medical care.
5

6 20. The Operators failed to promptly notify search and rescue authorities and
7 failed to initiate a prompt emergency response of their own. Nearly three hours after
8 the Accident, a helicopter (upon information and belief, owned by Third Edge) located
9 the wreckage after finally being dispatched to investigate the Helicopter's last known
10 coordinates. The helicopter that located the wreckage did not render aid.
11

12 21. Due to the Operators' failures to monitor the location and status of the
13 Helicopter, failure to properly install, operate, and maintain the ELT, failure to initiate
14 a prompt emergency response, and failure to promptly notify authorities, search and
15 rescue personnel did not reach the Accident site until several hours after they otherwise
16 would have. By the time they located Mr. Kellner's body, he had succumbed to what
17 were survivable injuries.
18

19 22. Prior to succumbing to the injuries caused by the Accident's initial
20 impact, Mr. Kellner suffered further and additional injuries, including but not limited
21 to pain, suffering, and anticipation of death.
22

23 23. Upon information and belief, Mr. Kellner would have survived if the
24 Operators had been monitoring the location and status of the Helicopter, initiated a
25 prompt emergency response, and/or promptly notified search and rescue authorities
26

1 about the Accident, all of which would have allowed emergency responders to arrive at
2 the Accident site prior to Mr. Kellner's death and with sufficient time to administer aid
3 and transport him to a hospital for life-saving medical care.
4

5 24. Upon information and belief, Mr. Kellner would have survived if the
6 Operators had properly installed, operated, and maintained the ELT, because a
7 functioning ELT would have promptly alerted the Operators and search and rescue
8 authorities about the need for emergency aid, and would have allowed emergency
9 responders to arrive at the Accident site prior to Mr. Kellner's death and with sufficient
10 time to administer aid and transport him to a hospital for life-saving medical care.
11

12 **COUNT I**
13 **(Negligence)**

14 25. Mr. Eski re-alleges and incorporates by reference the allegations above.
15

16 26. The Operators owed passengers aboard the Helicopter, including Mr.
17 Kellner, a duty of care to, among other things: (a) ensure safe and reasonable operation
18 of the Helicopter; (b) monitor the location and status of the Helicopter during the
19 Accident Flight; (c) ensure proper installation, operation, and maintenance of the ELT;
20 and (d) to promptly be aware of, report, and respond to emergencies.
21

22 27. The Operators and/or their agents and employees were negligent and
23 reckless. They breached their duty of care to Mr. Kellner by, among other things:

24 (a) operating the Helicopter in a careless, negligent, and reckless
25 manner;

26 (b) failing to properly and safely operate the Helicopter to ensure a
safe descent and landing;

- 1
- 2 (c) failing to have in place procedures and/or failing to follow their
- 3 procedures for monitoring and locating the Helicopter, including
- 4 pursuant to Federal Aviation Regulations, agreements by and
- 5 among the Operators, and/or industry customs and standards;
- 6
- 7 (d) failing to have in place pre-flight plans and/or failing to follow pre-
- 8 flight plans regarding check-ins, and the specific routes, ski runs,
- 9 and landing zones to be utilized;
- 10
- 11 (e) failing to have in place pre-flight plans and emergency procedures
- 12 and/or failing to follow pre-flight plans and emergency procedures
- 13 to ensure an immediate alert of a need for emergency response;
- 14
- 15 (f) failing to provide appropriate emergency response, including but
- 16 not limited to failing to promptly notify search and rescue
- 17 authorities and failing to render prompt emergency medical aid
- 18 and/or transport;
- 19
- 20 (g) failing to maintain continuous contact with the Helicopter during
- 21 flight;
- 22
- 23 (h) failing to have in place procedures and/or failing to follow their
- 24 procedures for responding to the loss of communication with the
- 25 Helicopter; and
- 26
- 27 (i) failing to ensure the proper installation, operation, and
- 28 maintenance of the Helicopter's ELT.

29 28. As a direct, proximate, and concurrent result of the Operators' negligent

30 and reckless conduct, and the conduct of agents and employees for whom the Operators

31 are vicariously liable, Mr. Kellner, his surviving spouse Renáta Kellnerová, and his

32 surviving children Petr Kellner, Anna Kellnerová, Lara Kellnerová, and Marie Isabella

33 Kellnerová, sustained injuries and damages including but not limited to:

- 34 (a) the wrongful death of Petr Kellner (AS 09.55.580);

- 1 (b) Mr. Kellner's pain, suffering, and anticipation of death (AS
2 09.55.570);
- 3 (c) Mr. Kellner's loss of chance to survive the injuries he sustained in
4 the Accident;
- 5 (d) Grief and anguish resulting from the untimely death of Mr.
6 Kellner, husband and father, past and future;
- 7 (e) Loss of financial support from wages, fringe benefits, and other
8 pecuniary benefits that would have resulted from the continued life
9 of Mr. Kellner, past and future;
- 10 (f) Loss of assistance and services, both personal and economic, past
11 and future;
- 12 (g) Loss of love, consortium, companionship, society, training,
13 education, and guidance, past and future;
- 14 (h) Expenses for medical and psychological care resulting from the
15 death of Mr. Kellner, past and future;
- 16 (i) Funeral and burial expenses;
- 17 (j) Loss of inheritance; and
- 18 (k) All other damages that are fair and just under AS 09.55.580.

19 29. The Operators are liable to Plaintiff for damages exceeding \$100,000, the
20 exact amount of which will be proven at trial.

21 **COUNT II**
22 **(Negligence Per Se)**

23 30. Mr. Eski re-alleges and incorporates by reference the allegations above.

24 31. The Operators had a duty to operate the Helicopter and provide a safe
25 helicopter flight in compliance with all Federal Aviation Regulations.
26

1 32. The Operators failed to meet these obligations, and the breach of their
2 duties led to the Accident and ultimately to Mr. Kellner's death.

3
4 33. The Operators committed multiple regulatory violations of 14 CFR Parts
5 91 and 135. These violations include, but are not limited to: the violation of 14 CFR
6 Part 91.3 (pilot-in-command responsibility for aircraft operation); Part 91.13 (operating
7 an aircraft in a careless or reckless manner so as to endanger the life of another); Part
8 135.79 (flight locating); and Part 135.207 (helicopter flight without visual surface
9 reference).

10
11 34. The Operators' regulatory violations were negligent per se because the
12 Federal Aviation Regulations set out specific and definite conduct and standards of
13 care, their passengers were in the class of people to be protected by these regulations,
14 and the injuries sustained by Mr. Kellner were caused by the harm against which these
15 regulations were designed to protect.

16
17 35. The Operators' regulatory violations were a direct and proximate cause
18 of the injuries and damages set forth in Paragraph 28 above.

19
20 36. The Operators are liable to Plaintiff for damages exceeding \$100,000, the
21 exact amount of which will be proven at trial.

22
23 **COUNT III**
24 **(Punitive Damages for Recklessness – AS 09.17.020)**

25 37. Mr. Eski re-alleges and incorporates by reference the allegations above.

26 38. The foregoing conduct by the Operators evidences a conscious disregard
for and reckless indifference to the safety of their passengers, including Mr. Kellner.

1 39. Upon information and belief, the Operators' conduct was motivated by
2 financial gain and the adverse consequences of their conduct were actually known by
3 them and/or the persons responsible for making policy decisions on their behalf.
4

5 40. Soloy, TML, and Third Edge are each liable for an award of punitive
6 damages in an amount to be proven at trial.
7

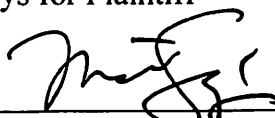
8 **PRAYER FOR RELIEF**

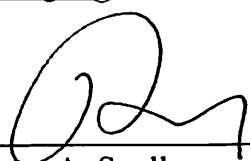
9 WHEREFORE, Plaintiff Wayne Eski prays for relief against Defendants Soloy,
10 TML, and Third Edge as follows:

- 11 1. For an award of damages in an amount to be proven at trial;
12 2. For an award of punitive damages in accordance with AS 09.17.020;
13 3. For an award of interest, attorneys' fees and costs; and
14 4. For such other and further relief as the Court deems fair and just under
15 the circumstances.
16

17 DATED at Anchorage, Alaska, this 24th day of March, 2023.
18

19 SCHWABE, WILLIAMSON & WYATT, P.C.
20 Attorneys for Plaintiff

21 By: 
22 Matthew Singer
23 Alaska Bar No. 9911072
24 msinger@schwabe.com

25 By: 
26 Peter A. Scully
 Alaska Bar No. 1405043
 pscully@schwabe.com

1 WHITE & CASE, LLP
2 Attorneys for Plaintiff

3 By: /s/Michael Kendall
4 Michael Kendall*
5 michael.kendall@whitecase.com

6 By: /s/Kevin M. Bolan
7 Kevin M. Bolan*
8 kevin.bolan@whitecase.com

9 By: /s/Daniel Medici
10 Daniel Medici*
11 Dan.medici@whitecase.com

12 White & Case, LLP
13 75 State Street
14 Boston, MA 02109-1814
15 Telephone: 617-979-9300

16 **denotes counsel who will seek pro hac vice*
17 *admission*

1 IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

2 THIRD JUDICIAL DISTRICT AT ANCHORAGE

3 WAYNE ESKI, as Personal Representative)
4 of the Estate of Petr Kellner, deceased, on)
5 behalf of statutory beneficiaries RENÁTA)
6 KELLNEROVÁ, PETR KELLNER,)
7 ANNA KELLNEROVÁ, LARA)
8 KELLNEROVÁ, and MARIE ISABELLA)
9 KELLNEROVÁ,)

10 Plaintiffs,)

11 v.)

Case No. 3AN-23- 05339 CI

12 SOLOY HELICOPTERS, LLC,)
13 TRIUMVIRATE LLC d/b/a)
14 TORDRILLO MOUNTAIN LODGE,)
15 and THIRD EDGE ALASKA, LLC,)

16 Defendants.)

17 **DEMAND FOR JURY TRIAL**


18 PLEASE TAKE NOTE that Plaintiff Wayne Eski, as Personal Representative of
19 the Estate of Petr Kellner, and on behalf of statutory beneficiaries Renáta Kellnerová,
20 Petr Kellner, Anna Kellnerová, Lara Kellnerová, and Marie Isabella Kellnerová, by and
21 through undersigned counsel, Schwabe Williamson & Wyatt, P.C., hereby demands a
22 trial by jury in the above-captioned action.

23 DATED at Anchorage, Alaska, this 24th day of March, 2023.

24 SCHWABE, WILLIAMSON & WYATT, P.C.
25 Attorneys for Plaintiffs

26 By: 

Matthew Singer, ABA No. 9911072
msinger@schwabe.com

1
2 By: 
3 Peter A. Scully, ABA No. 1405043
4 pscully@schwabe.com

5 WHITE & CASE, LLP
6 Attorneys for Plaintiff

7 By: /s/Michael Kendall
8 Michael Kendall*
9 michael.kendall@whitecase.com

10 By: /s/Kevin M. Bolan
11 Kevin M. Bolan*
12 kevin.bolan@whitecase.com

13 By: /s/Daniel Medici
14 Daniel Medici*
15 Dan.medici@whitecase.com

16 White & Case, LLP
17 75 State Street
18 Boston, MA 02109-1814
19 Telephone: 617-979-9300

20 *denotes counsel who will seek pro hac vice
21 admission
22
23
24
25
26

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
AT ANCHORAGE

WAYNE ESKI, as Personal Representative of the Estate of
Petr Kellner, deceased, on behalf of statutory beneficiaries
RENÁTA KELLNERNOVÁ, PETR KELLNER, ANNA
KELLNERNOVÁ, and MARIE ISABELLA KELLNERNOVÁ,

vs. Plaintiff,

SOLOY HELICOPTERS, LLC, TRIUMVIRATE LLC d/b/a
TORDRILLO MOUNTAIN LODGE, and THIRD EDGE
ALASKA, LLC,

Defendants.

CASE NO. 3AN-23- 5339 CI

**SUMMONS AND
NOTICE TO BOTH PARTIES
OF JUDICIAL ASSIGNMENT**

To Defendant: Soloy Helicopters, LLC

You are hereby summoned and required to file with the court a written answer to the complaint which accompanies this summons. Your answer must be filed with the court at 825 W. 4th Ave., Anchorage, Alaska 99501 within 20 days* after the day you receive this summons. In addition, a copy of your answer must be sent to the plaintiff's attorney or plaintiff (if unrepresented) Matthew Singer and Peter Scully, whose address is: Schwabe, Williamson & Wyatt, P.C., 420 L Street, Suite 400, Anchorage, AK 99501 AND Michael Kendall, Kevin Bolan & Daniel Medici - White & Case, LLP, 75 State Street, Boston, MA 02109-1814. If you fail to file your answer within the required time, a default judgment may be entered against you for the relief demanded in the complaint.

If you are not represented by an attorney, you must inform the court and all other parties in this case, in writing, of your current mailing address and any future changes to your mailing address and telephone number. You may use court form *Notice of Change of Address / Telephone Number* (TF-955), available at the clerk's office or on the court system's website at <https://public.courts.alaska.gov/web/forms/docs/tf-955.pdf> to inform the court. - OR - If you have an attorney, the attorney must comply with Alaska R. Civ. P. 5(i).

NOTICE OF JUDICIAL ASSIGNMENT

TO: Plaintiff and Defendant

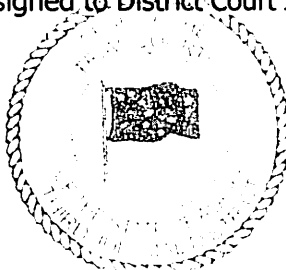
You are hereby given notice that:

☒ This case has been assigned to Superior Court Judge TBD and to a magistrate judge.

☐ This case has been assigned to District Court Judge _____.

CLERK OF COURT

3/24/2023
Date



By: Alan Zerk

Deputy Clerk

I certify that on 3/24/23 a copy of this Summons was ☐ mailed ☒ given to
☐ plaintiff ☒ plaintiff's counsel along with a copy of the
☐ Domestic Relations Procedural Order ☐ Civil Pre-Trial Order
to serve on the defendant with the summons.
Deputy Clerk AL

* The State or a state officer or agency named as a defendant has 40 days to file its answer. If you have been served with this summons outside the United States, you also have 40 days to file your answer.

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
AT ANCHORAGE

WAYNE ESKI, as Personal Representative of the Estate of
Petr Kellner, deceased, on behalf of statutory beneficiaries
RENÁTA KELLNERNOVÁ, PETR KELLNER, ANNA
KELLNERNOVÁ, and MARIE ISABELLA KELLNERNOVÁ,

vs. Plaintiff,

SOLOY HELICOPTERS, LLC, TRIUMVIRATE LLC d/b/a
TORDRILLO MOUNTAIN LODGE, and THIRD EDGE
ALASKA, LLC,

Defendants.

CASE NO. 3AN-23- 5 339 CI

**SUMMONS AND
NOTICE TO BOTH PARTIES
OF JUDICIAL ASSIGNMENT**

To Defendant: Triumvirate LLC d/b/a Tordrillo Mountain Lodge

You are hereby summoned and required to file with the court a written answer to the complaint which accompanies this summons. Your answer must be filed with the court at 825 W. 4th Ave., Anchorage, Alaska 99501 within 20 days* after the day you receive this summons. In addition, a copy of your answer must be sent to the plaintiff's attorney or plaintiff (if unrepresented) Matthew Singer and Peter Scully, whose address is: Schwabe, Williamson & Wyatt, P.C., 420 L Street, Suite 400, Anchorage, AK 99501 AND Michael Kendall, Kevin Bolan & Daniel Medici - White & Case, LLP, 75 State Street, Boston, MA 02109-1814. If you fail to file your answer within the required time, a default judgment may be entered against you for the relief demanded in the complaint.

If you are not represented by an attorney, you must inform the court and all other parties in this case, in writing, of your current mailing address and any future changes to your mailing address and telephone number. You may use court form *Notice of Change of Address / Telephone Number* (TF-955), available at the clerk's office or on the court system's website at <https://public.courts.alaska.gov/web/forms/docs/tf-955.pdf> to inform the court. - OR - If you have an attorney, the attorney must comply with Alaska R. Civ. P. 5(i).

NOTICE OF JUDICIAL ASSIGNMENT

TO: Plaintiff and Defendant

You are hereby given notice that:

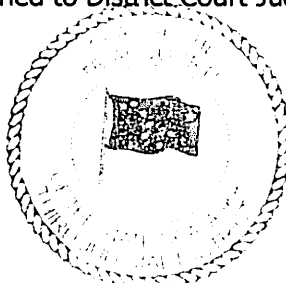
☒ This case has been assigned to Superior Court Judge TBD
and to a magistrate judge.

☐ This case has been assigned to District Court Judge _____.

CLERK OF COURT

3/24/2023

Date



By:

Alan J. Smith

Deputy Clerk

I certify that on 3/24/23 a copy of this Summons was ☐ mailed ☒ given to
☐ plaintiff ☒ plaintiff's counsel along with a copy of the
☐ Domestic Relations Procedural Order ☐ Civil Pre-Trial Order
to serve on the defendant with the summons.

Deputy Clerk AL

* The State or a state officer or agency named as a defendant has 40 days to file its answer. If you have been served with this summons outside the United States, you also have 40 days to file your answer.

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
AT ANCHORAGE

WAYNE ESKI, as Personal Representative of the Estate of
Petr Kellner, deceased, on behalf of statutory beneficiaries
RENÁTA KELLNERNOVÁ, PETR KELLNER, ANNA
KELLNERNOVÁ, and MARIE ISABELLA KELLNERNOVÁ,

vs. Plaintiff,

SOLOY HELICOPTERS, LLC, TRIUMVIRATE LLC d/b/a
TORDRILLO MOUNTAIN LODGE, and THIRD EDGE
ALASKA, LLC,

Defendants.

CASE NO. 3AN-23- 5339 CI

**SUMMONS AND
NOTICE TO BOTH PARTIES
OF JUDICIAL ASSIGNMENT**

To Defendant: Third Edge Alaska, LLC

You are hereby summoned and required to file with the court a written answer to the complaint which accompanies this summons. Your answer must be filed with the court at 825 W. 4th Ave., Anchorage, Alaska 99501 within 20 days* after the day you receive this summons. In addition, a copy of your answer must be sent to the plaintiff's attorney or plaintiff (if unrepresented) Matthew Singer and Peter Scully, whose address is: Schwabe, Williamson & Wyatt, P.C., 420 L Street, Suite 400, Anchorage, AK 99501 AND Michael Kendall, Kevin Bolan & Daniel Medici - White & Case, LLP, 75 State Street, Boston, MA 02109-1814. If you fail to file your answer within the required time, a default judgment may be entered against you for the relief demanded in the complaint.

If you are not represented by an attorney, you must inform the court and all other parties in this case, in writing, of your current mailing address and any future changes to your mailing address and telephone number. You may use court form *Notice of Change of Address / Telephone Number* (TF-955), available at the clerk's office or on the court system's website at <https://public.courts.alaska.gov/web/forms/docs/tf-955.pdf> to inform the court. - OR - If you have an attorney, the attorney must comply with Alaska R. Civ. P. 5(i).

NOTICE OF JUDICIAL ASSIGNMENT

TO: Plaintiff and Defendant

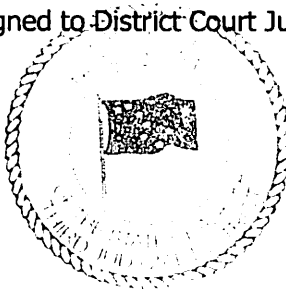
You are hereby given notice that:

- ☒ This case has been assigned to Superior Court Judge TBD and to a magistrate judge.
- ☐ This case has been assigned to District Court Judge _____.

CLERK OF COURT

3/24/2023

Date



By: Chloe Zink

Deputy Clerk

I certify that on 3/24/23 a copy of this Summons was ☐ mailed ☒ given to
☐ plaintiff ☒ plaintiff's counsel along with a copy of the
☐ Domestic Relations Procedural Order ☐ Civil Pre-Trial Order
to serve on the defendant with the summons.
Deputy Clerk AL

* The State or a state officer or agency named as a defendant has 40 days to file its answer. If you have been served with this summons outside the United States, you also have 40 days to file your answer.