

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
23CV026335-910

ALICIA PAXSON,
Administratrix of the Estate of Philip Paxson,
Deceased, and in her own right,

Plaintiff,

v.

GOOGLE LLC d/b/a Google, ALPHABET,
INC., d/b/a Alphabet, TARDE, LLC d/b/a
Tarde, JAMES TARLTON, individually, and
HINCKLEY GAUVAIN, LLC,

Defendants.

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COMPLAINT

Plaintiff, Alicia Paxson, by and through the undersigned counsel, hereby files this civil action complaint against the above-named defendants and demands a jury trial. In support thereof, she states as follows:

1. On the night of September 30, 2022, Philip Paxson, a devoted husband, father and proud United States Navy Veteran, died tragically while driving home from his daughter’s ninth birthday party, when he drove off of an unmarked, unbarricaded collapsed bridge in Hickory, North Carolina while following GPS directions.



Photograph of the subject bridge taken after the incident in daylight

2. Mr. Paxson was unaware that the bridge had previously collapsed, and instead was under the reasonable belief that the road and bridge was safe to drive on.

3. At that time, and for years prior, Google Maps directed drivers to cross over the collapsed bridge when users requested directions through its GPS services.

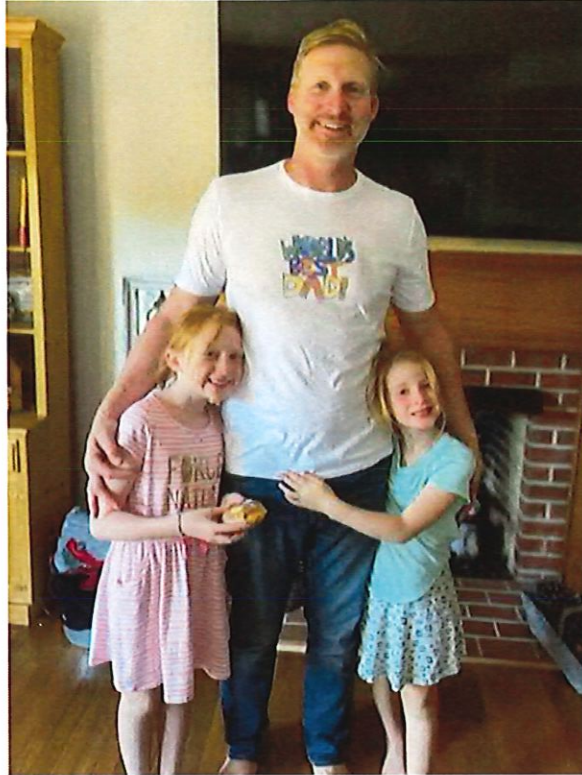
4. Community members notified Google of the collapsed bridge and the danger its GPS services posed to those unfamiliar with the area.

5. On the dark and rainy night of September 30, 2022, Mr. Paxson suffered the fate that many community residents feared: his vehicle drove off of the unguarded edge of the collapsed bridge and he was injured and killed.

6. As discussed herein, Philip Paxson leaves behind his loving wife, Alicia, and his two young daughters, A.P., age 9, and J.P., age 7.



Philip Paxson with his wife, Alicia Paxson



Philip Paxson (deceased) with his two young daughters

7. Plaintiff Alicia Paxson, Administratrix of the Estate of Philip Paxson, deceased, is a citizen and resident of Catawba County, North Carolina.

8. Philip Paxson died on or about September 30, 2022 and was, during his lifetime, a citizen and resident of Catawba County, North Carolina.

9. Mrs. Paxson (“Mrs. Paxson”) was duly appointed Administratrix of decedent Philip Paxson’s (“Mr. Paxson”) estate by the Clerk of Court of Catawba County, North Carolina, and has qualified as such in the institution of this action, which is instituted within two years of the date of death of the decedent.

10. Defendant Google LLC (“Google”) is a business entity with a principal place of business at 1600 Amphitheatre Parkway, Mountain View, California 94043.

11. Defendant Google is authorized to do business in North Carolina.

12. Defendant Google maintains a registered office at 2626 Glenwood Avenue, Suite 550, Raleigh, North Carolina.

13. Defendant Google's registered office is located in Wake County.

14. Defendant Google maintains a place of business in Wake County.

15. Defendant Google is regularly engaged in carrying on business in Wake County.

16. Upon information and belief, Defendant Google maintains its registered office in North Carolina pursuant to a certificate of authority issued by the North Carolina Secretary of State.

17. Defendant Google is considered a domestic entity within North Carolina, due to it maintaining a registered office in the state pursuant to a certificate of authority issued by the North Carolina Secretary of State.

18. Venue is considered proper in Wake County pursuant to N.C. Gen. Stat § 1-79.

19. Defendant Alphabet, Inc. ("Alphabet"), is a business entity corporation with a principal place of business at 1600 Amphitheatre Parkway, Mountain View, California 94043.

20. Google and Alphabet shall hereinafter be referred to collectively as the "Google Maps Defendants."

21. At all relevant times, the Google Maps Defendants were operating by and through their respective employees, agents, and/or contractors.

22. At all relevant times, the Google Maps Defendants designed, developed, maintained, promoted, edited and profited from a mapping and navigation cell phone application called "Google Maps."

23. Mapping and navigation application developers like the Google Maps Defendants have a duty and responsibility to ensure that their maps are accurate.

24. Mapping and navigation application developers like the Google Maps Defendants have a duty and responsibility to timely update their maps.

25. Mapping and navigation application developers like the Google Maps Defendants have a duty and responsibility to timely update their maps if and when notified of hazards posed by the Google Maps navigation route.

26. Mapping and navigation application developers like the Google Maps Defendants have a duty and responsibility to timely review and investigate reports of map errors from users and citizens that can endanger the public and those who use the Google Maps system.

27. Mapping and navigation application developers like the Google Maps Defendants have a duty and responsibility to direct their customers along safe and navigable roadways.

28. Defendant Tarde, LLC (“Tarde”) is a business entity with a registered office located at 944 18th Avenue Drive NW, Hickory, North Carolina 28601.

29. Defendant James Tarlton (“Mr. Tarlton”) is an adult individual residing at 944 18th Avenue Drive NW, Hickory, North Carolina 28601.

30. Defendant Hinckley Gauvain, LLC (“Hinckley”) is a business entity with a principal place of business at 736 Brawley School Road, Mooresville, North Carolina 28117.

31. Defendants Tarde, Mr. Tarlton, and Hinckley shall hereinafter be referred to collectively as the “Bridge Defendants.”

32. The Bridge Defendants owned, controlled, and/or were otherwise responsible for the land on and over which a bridge on 24th Street Place NE in Hickory, NC runs (“the Snow Creek Bridge”), the land adjoining the Snow Creek Bridge, and/or the Snow Creek Bridge itself.

33. The Bridge Defendants had a duty and responsibility to maintain the Snow Creek Bridge, including but not limited to maintenance of the bridge, and erecting and maintaining proper barricades and/or warning signs identifying any hazards particular to the land.

34. The bridge was in a dangerous, hazardous and defective condition at the time of the incident and for years prior.

35. The road and bridge have and had been made available for public use.

36. At all relevant times, the Bridge Defendants were operating by and through their respective employees, agents, and/or contractors.

37. At all relevant times, the Bridge Defendants were citizens of North Carolina.

38. The Paxson family moved to Hickory in the summer of 2020 after Mr. Paxson, a successful medical device salesman, was promoted and placed in charge of a team of sales professionals in North Carolina.

39. After moving to Hickory, Mrs. Paxson was hired as a licensed Physician Assistant in town.

40. On or about September 30, 2022, Mr. and Mrs. Paxson took their daughters to a friend's home to celebrate their daughter's ninth birthday and their friends' child's birthday.

41. Mr. and Mrs. Paxson and their friends originally planned to take their children camping for their birthdays with several other families, but a storm forced them to come up with an alternative plan.

42. Instead of camping, the Paxsons and their friends threw their kids a camping-themed party in a home in the Hickory Woods development, complete with a hot chocolate bar, fire pit, and s'mores.

43. Mr. and Mrs. Paxson drove separately to the party because Mrs. Paxson went early to help set up, while Mr. Paxson finished getting the girls ready and drove them to the party.

44. At the conclusion of the party, Mrs. Paxson took her daughters home while Mr. Paxson stayed to help clean up after the party.

45. After Mr. Paxson assisted in the party cleanup, he drove his Jeep Gladiator towards his home in Hickory.

46. Mr. Paxson had not been to the home where the party occurred prior to the night of the incident.

47. The Paxson family lived approximately 4.3 miles and 10 minutes away from the home where the party occurred.

48. Upon information and belief, Mr. Paxson was generally unfamiliar with the Hickory Woods development.

49. Upon information and belief, prior to departing and in order to select his route to depart the housing development, Mr. Paxson used the Google Maps application to identify directions home.

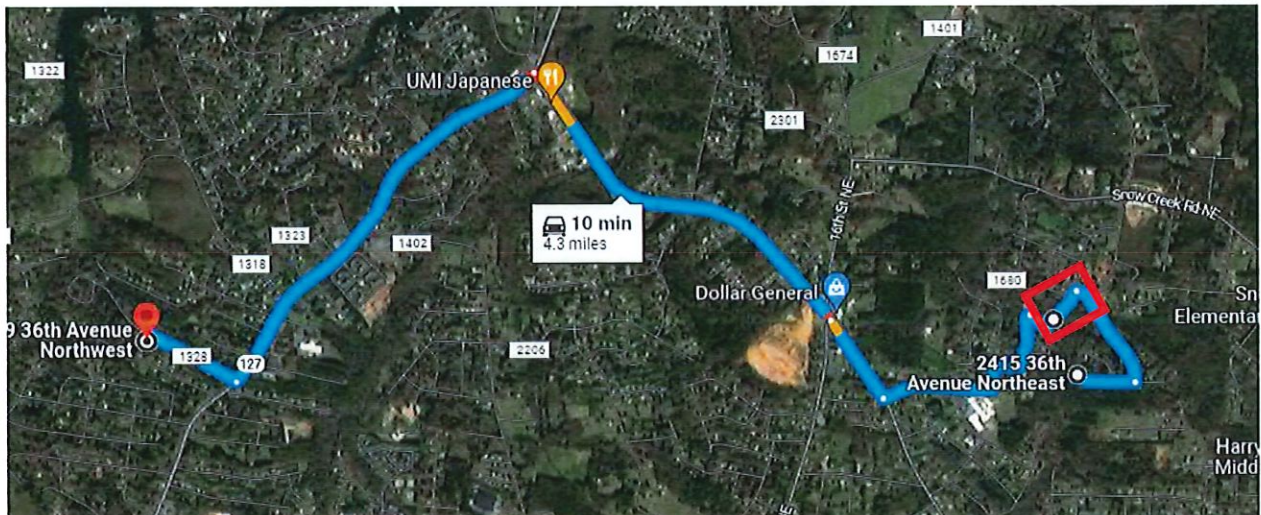
50. Mr. Paxson's route was from the home where the children's party occurred, 2415 36th Avenue NE, to the Paxson's family home at 109 36th Avenue, NW in Hickory.

51. Google Maps directed Mr. Paxson to travel home over the Snow Creek Bridge.

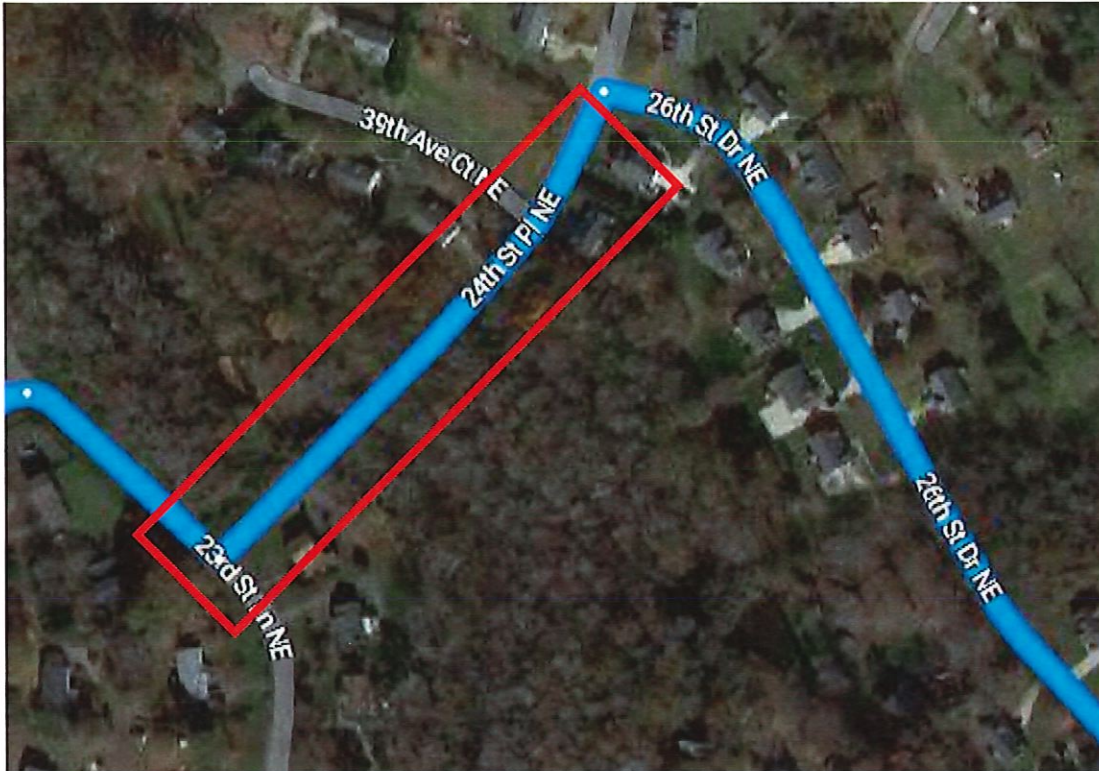
52. Unbeknownst to Mr. Paxson, a very large section of the Snow Creek Bridge had collapsed in 2013 and was never repaired.



Photograph of the Snow Creek Bridge taken after Mr. Paxson's incident



Google Maps route from the party to the Paxsons' home; collapsed bridge - marked in red - depicted as passable to Mr. Paxson at the time



Google Maps depiction of the road that included the collapsed bridge, showing it as a passable road (red border to highlight incident area)

53. For years prior to September 30, 2022, members of the Hickory Woods community living near the bridge fought to have it repaired, and barricaded until it could be repaired.

54. At all relevant times, the Bridge Defendants owned the bridge and/or the land adjacent to the bridge, and/or were responsible for the inspection, upkeep, and maintenance of the bridge.

55. The Bridge Defendants refused to properly maintain the bridge, leaving it in a horrendously dangerous state of disrepair for years.

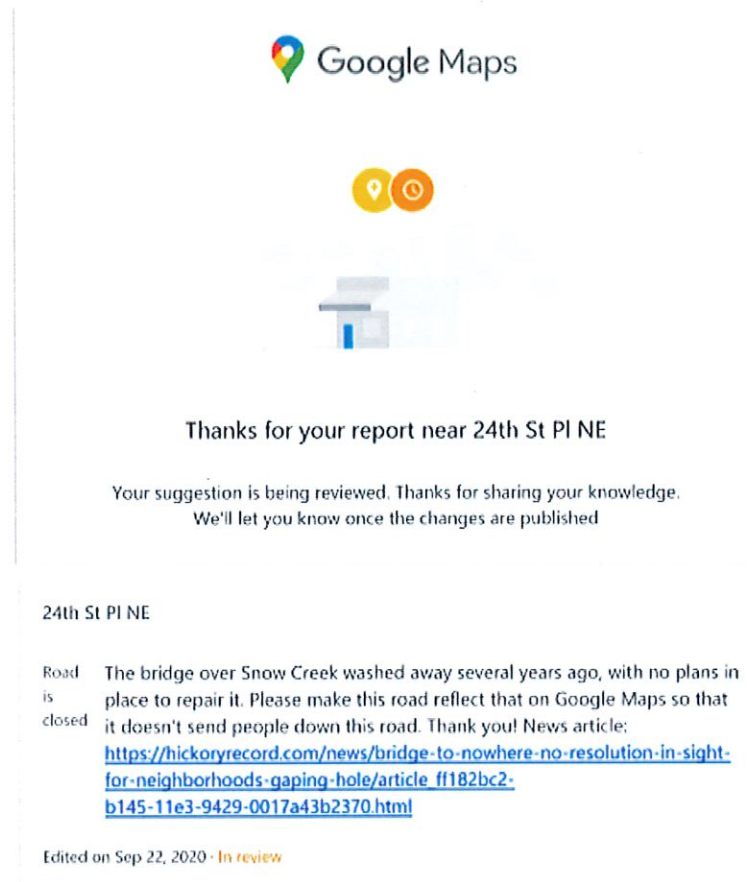
56. The Bridge Defendants refused to place reasonable and proper barricades in front of the hazard to alert drivers of the deadly drop and failed to enact inspection measures to ensure that barricades remained in front of the hazard until necessary repairs occurred.

57. Upon information and belief, certain citizens who encountered the bridge noticed that Google Maps would lead drivers over the collapsed bridge long after it had been washed out.

58. In an effort to prevent a horrible incident, multiple individuals notified Google Maps about the dangerous condition of the bridge, and in at least one communication even included a news article about the danger.

59. On September 22, 2020, Hickory resident Kim Ellis used the “Suggest An Edit” feature on Google Maps to place the Google Maps Defendants on notice that the Snow Creek Bridge had washed away.

From: Google Maps <noreply-maps-issues@google.com>
Date: Tue, Sep 22, 2020 at 4:14 PM
Subject: Thanks for your report near 24th St PI NE
To: <ellisk17@gmail.com>



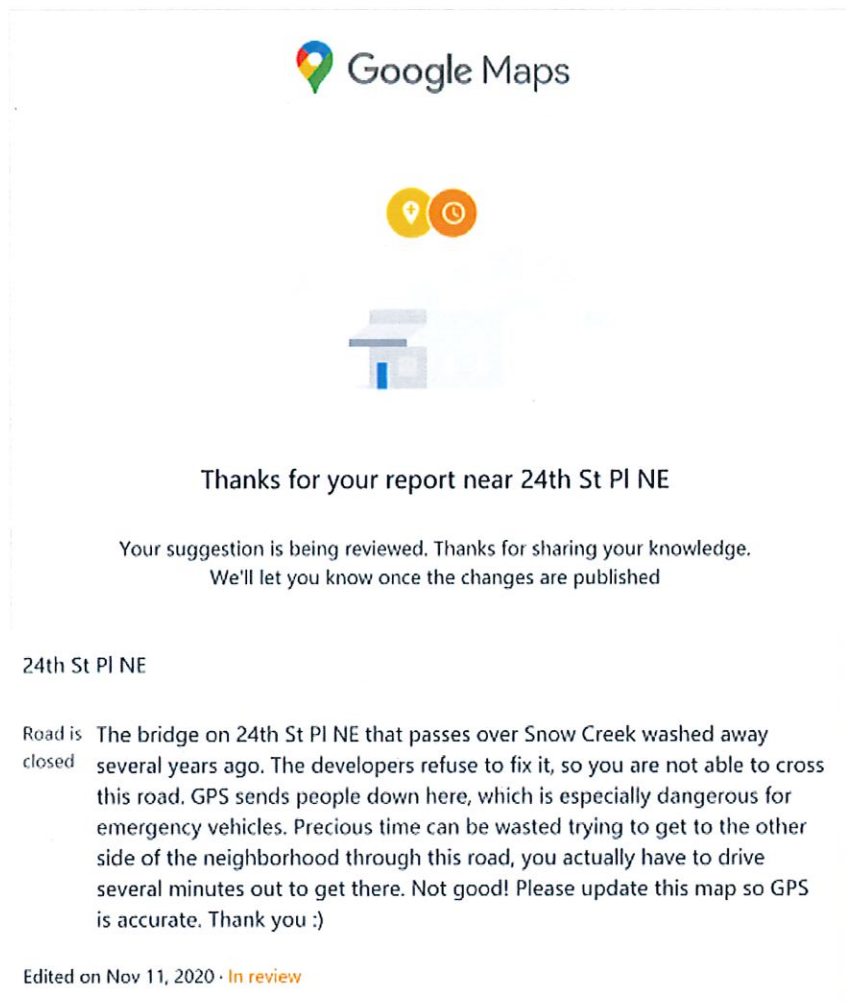
September 22, 2020 email confirmation from Google Maps to Hickory resident Kim Ellis confirming receipt of Ms. Ellis' report about the Snow Creek Bridge

60. The email above, received by Ms. Ellis, indicated that her notification was “in review.”

61. The Google Maps Defendants took no action in response to Ms. Ellis’ notice.

62. On November 11, 2020, Ms. Ellis again contacted the Google Maps Defendants via the “Suggest An Edit” feature pleading for Google Maps to update its navigation system.

From: Google Maps <noreply-maps-issues@google.com>
Date: Wed, Nov 11, 2020 at 2:36 PM
Subject: Thanks for your report near 24th St PI NE
To: <ellisk17@gmail.com>



November 11, 2020 email confirmation from Google Maps to Hickory resident Kim Ellis confirming receipt of Ms. Ellis’ report about the Snow Creek Bridge

63. Again, the Google Maps Defendants took no action in response to Ms. Ellis' messages despite the message reading "in review."

64. Upon information and belief, Ms. Ellis was not the only citizen who notified Google of the dangerous condition.

65. At the time of the incident, it was dark and raining in the vicinity of the subject bridge.

66. No artificial lighting, overhead or otherwise, was placed on or around the subject road to assist in revealing the hazard.

67. As he drove home from the party while relying upon on the directions provided by Google, Mr. Paxson drove onto the Snow Creek Bridge.

68. The bridge had no artificial lighting, and the area was pitch black at 11:00 p.m.

69. While following the dangerous directions the Google Map Defendants provided, Mr. Paxson's vehicle drove off the unguarded edge of the bridge and crashed approximately twenty feet below.



Mr. Paxson's partially submerged Jeep Gladiator the morning after the incident


70. Mr. Paxson tragically drowned, leaving behind his wife, Alicia, his two young daughters, his parents, siblings, and countless family members and friends who loved him.

71. After the incident, the Google Maps Defendants were once again notified via the “Suggest an Edit” feature that the Snow Creek Bridge had collapsed, and that Mr. Paxson was killed after following his GPS onto the collapsed bridge.



Your update to 24th St PI NE has been published

Thank you for improving Google Maps! Your insights make it a better, more useful map for everyone.



Map data ©2023

24th St PI NE

Road is closed The bridge at this location was washed away over nine years ago, yet it still appears on the Google Maps GPS App. It is not clear when driving at night that the bridge washed away. A man following the Google Maps App was killed when he drove onto the area where this bridge once was. It is absolutely essential that Google Maps correct this issue immediately.
<https://www.today.com/parents/dads/father-dies-crash-bridge-nowhere-rna51205>

Edited on Oct 10, 2022 · Published

Edit suggestion sent by counsel on October 10, 2022

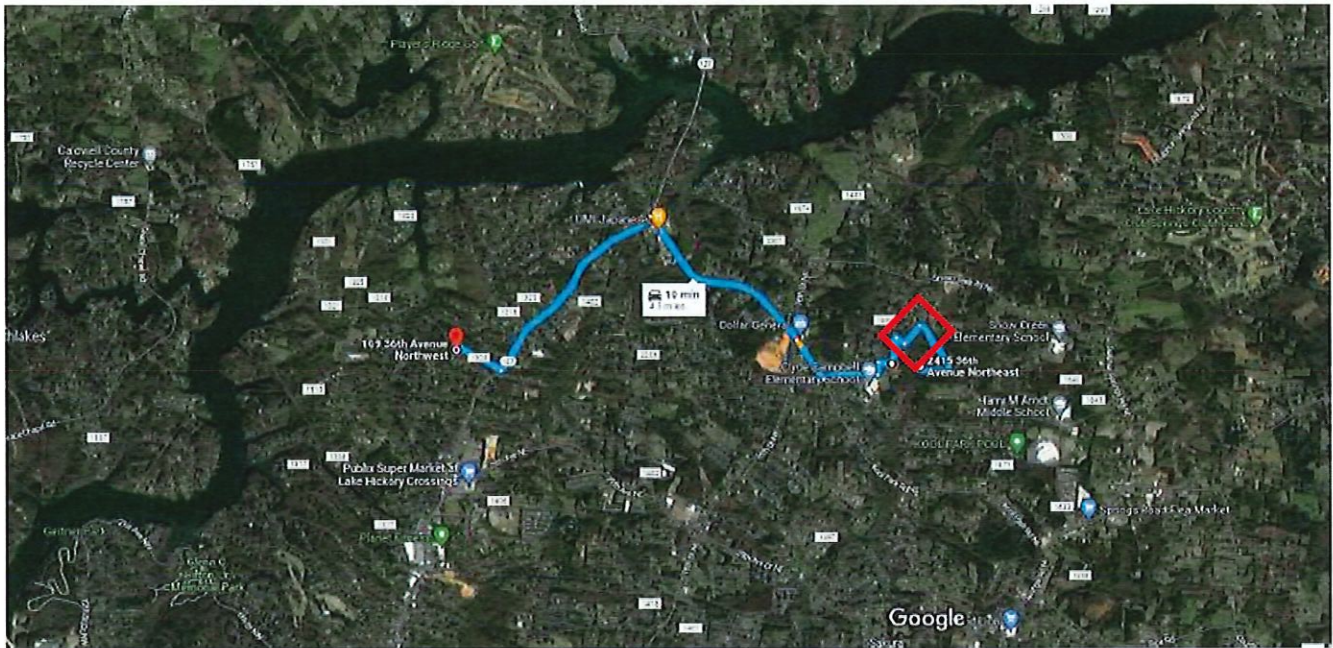
72. As of April 6, 2023, and upon information and belief at other times thereafter, the collapsed bridge unbelievably was still depicted as a passable road on Google Maps when routing from 2415 36th Avenue NE Hickory, NC 28601 to the Paxson's home, despite the Google Map Defendants having been placed on notice yet again of the danger.

4/6/23, 6:04 PM

2415 36th Ave NE, Hickory, NC 28601 to 109 36th Avenue Northwest, Hickory, NC - Google Maps

2415 36th Ave NE, Hickory, NC 28601 to 109 36th Avenue Northwest, Hickory, NC

Drive 4.3 miles, 10 min



Imagery ©2023 Alexander County, Burke County, CHES / Airbus, Landsat / Copernicus, Maxar Technologies, Orbis Inc, U.S. Geological Survey, USDA/FFAC/GEO, Map data ©2023 2000 ft

 via Cloninger Mill Rd NE and NC- 10 min
127 S/N Center St 4.3 miles
10 min without traffic

*Google Maps route from the address of the party to the Paxson home
Accessed on April 6, 2023*

FIRST CLAIM FOR RELIEF
**(Negligent, Grossly Negligent, Willful and Wanton Conduct
of the Google Maps Defendants)**

73. Plaintiff adopts and re-alleges the preceding paragraphs as though fully set forth herein.

74. Upon information and belief, in 2014 the Google Maps Defendants provided directions to users directing them to drive over the collapsed bridge described above.

75. Upon information and belief, in 2015 the Google Maps Defendants provided directions to users directing them to drive over the collapsed bridge described above.

76. Upon information and belief, in 2016 the Google Maps Defendants provided directions to users directing them to drive over the collapsed bridge described above.

77. Upon information and belief, in 2017 the Google Maps Defendants provided directions to users directing them to drive over the collapsed bridge described above.

78. Upon information and belief, in 2018 the Google Maps Defendants provided directions to users directing them to drive over the collapsed bridge described above.

79. Upon information and belief, in 2019 the Google Maps Defendants provided directions to users directing them to drive over the collapsed bridge described above.

80. Upon information and belief, in 2020 the Google Maps Defendants provided directions to users directing them to drive over the collapsed bridge described above.

81. Upon information and belief, in 2021 the Google Maps Defendants provided directions to users directing them to drive over the collapsed bridge described above.

82. Upon information and belief, in 2022 the Google Maps Defendants provided directions to users directing them to drive over the collapsed bridge described above.

83. Upon information and belief, in 2023 the Google Maps Defendants provided directions to users directing them to drive over the collapsed bridge described above.

84. The Google Maps Defendants knew or should have known that Google Maps users like Mr. Paxson would rely on Google Maps to provide accurate directions.

85. The Google Maps Defendants knew or should have known that Google Maps users like Mr. Paxson would rely on Google Maps to update its GPS and mapping systems when alerted to changes of/in the roadway and dangers/hazards of collapsed bridges/roads.

86. The Google Maps Defendants had actual notice that the Snow Creek Bridge had collapsed years prior to the incident that killed Mr. Paxson.

87. The Google Maps Defendants had actual notice that continuing to route drivers over the collapsed Snow Creek Bridge would be extremely dangerous and likely to lead to death.

88. The Google Maps Defendants had a duty to update their maps when notified of impassable road conditions and/or dangerous road conditions.

89. The Google Maps Defendants had a duty to not route users to travel across bridges which had collapsed.

90. The Google Maps Defendants had a duty to timely review and investigate feedback made via its "Suggest an Edit" feature.

91. The Google Maps Defendants had a duty to employ workers to review edits made in the "Suggest an Edit" feature, and to investigate and edit the maps if their navigation system directed users into/onto dangerous conditions/paths.

92. The Google Maps Defendants had a duty to timely update their maps in response to user feedback.

93. The Google Maps Defendants violated their duties and were negligent, grossly negligent, willful, reckless, and/or wanton in the following ways:

- a. Providing a GPS navigation system to the public that led drivers over a collapsed bridge;
- b. Failing to identify a collapsed bridge on their maps;

- c. Failing to timely review user feedback about the Snow Creek Bridge;
- d. Failing to timely investigate user feedback about the Snow Creek Bridge;
- e. Failing to take reasonable measures to ensure their maps are accurate;
- f. Failing to take reasonable measures to ensure their maps are reliable;
- g. Failing to take reasonable measures to ensure their GPS navigation directions led drivers down navigable roads;
- h. Failing to employ competent staff to adequately update their maps;
- i. Failing to implement systems to ensure their maps were accurate;
- j. Failing to implement systems to ensure their navigation directions were safe;
- k. Failing to implement systems to ensure user feedback was timely reviewed and investigated;
- l. Disregarding user feedback about the hazards posed by the Snow Creek Bridge;
- m. Failing to warn drivers like Mr. Paxson that the Snow Creek Bridge was collapsed;
- n. Failing to warn drivers like Mr. Paxson that Google Maps does not timely respond to user feedback;
- o. Inducing users to rely upon the navigation suggestions to their own detriment;
- p. Placing their users in danger;
- q. Directing Mr. Paxson onto Snow Creek Bridge when they had actual notice that Snow Creek Bridge was not navigable;

- r. Displaying the Snow Creek Bridge as navigable on Google Maps;
- s. Failing to use traffic data to identify that no drivers had used the Snow Creek Bridge since 2013;
- t. Failing to investigate why no drivers had crossed Snow Creek Bridge since 2013;
- u. Failing to follow their own protocols regarding map safety;
- v. Failing to follow their own protocols regarding responding to user-suggested edits;
- w. Failing to follow their own protocols regarding the updating of their maps;
- x. Failing to enact proper protocols for map safety and updates;
- y. Making a defective map application;
- z. Selling and/or providing a defective navigation application to the public;
- aa. Failing to exercise reasonable care in violation of North Carolina General Statute § 99B-4.
- bb. Failing to retain competent third-party contractors to update their maps; and
- cc. Failing to exercise due care under the circumstances.

94. The Google Maps Defendants' negligent, grossly negligent, willful, reckless and/or wanton conduct caused Mr. Paxson's injuries and death.

95. As direct and proximate result of one or more of the foregoing acts of negligence, gross negligence, willfulness, recklessness and/or wanton disregard for human life, Mr. Paxson was killed when his vehicle drove over the collapsed bridge.

96. As a direct and proximate result of the negligence, willfulness, gross negligence, willfulness, recklessness and/or wanton disregard of human life of the Google Maps Defendants,

Mr. Paxson sustained severe and fatal injuries to and about his body, which caused him to suffer, until his death, great pain in body and mind.

97. The Google Maps Defendants are jointly and severally liable to Plaintiff for her damages and the damages of decedent's beneficiaries.

98. The conduct of the Google Maps Defendants was willful, wanton, grossly negligent, reckless and in complete disregard for the safety of the rights of others.

99. As a result of the Google Maps Defendants' willful, wanton and/or reckless conduct, the Google Maps Defendants are liable to Plaintiff for punitive damages.

100. Plaintiff seeks and is entitled to recover punitive damages in an amount in accordance with N.C. Gen. Stat. § 1D.

101. At or near the time of death, Mr. Paxson was of excellent health, constitution, vigor and habit and as a direct and proximate result of the negligence, gross negligence, willfulness, recklessness, and/or wanton disregard of human life of the Google Maps Defendants and of the incident caused thereby and the resulting death of Mr. Paxson, the heirs and/or next of kin have lost his services, protection, care, assistance, comfort, guidance, kindly offices and advice.

102. Based on the foregoing, Plaintiff is entitled to recover from Defendants compensatory and punitive damages for the wrongful death of Mr. Paxson, the economic damages resulting from his death, and the pain and suffering he experienced prior to his death in a sum in excess of the minimum jurisdictional limit of this Court for the benefit of the decedent's heirs and/or next of kin.

SECOND CLAIM FOR RELIEF
(Negligent, Grossly Negligent, Willful and Wanton Conduct
of the Bridge Defendants)

103. Plaintiff adopts and re-alleges all preceding paragraphs as though fully set forth.

104. Prior to September 30, 2022, the Bridge Defendants knew or should have known that drivers may try to traverse the Snow Creek Bridge.

105. Prior to September 30, 2022, the Bridge Defendants knew or should have known that the Snow Creek Bridge had collapsed in or around 2013 without appropriate repair.

106. Prior to September 30, 2022, the Bridge Defendants knew or should have known that the Snow Creek Bridge was not lit by artificial lighting at night.

107. Prior to September 30, 2022, the Bridge Defendants knew or should have known that a driver attempting to traverse the Snow Creek Bridge, unaware that it had collapsed, would face a very high risk of serious injury or death.

108. The Bridge Defendants had a duty to perform maintenance and upkeep on the Snow Creek Bridge.

109. The Bridge Defendants had a duty to protect drivers from plummeting approximately 20 feet to the ground.

110. The Bridge Defendants had a duty to timely repair the Snow Creek Bridge.

111. The Bridge Defendants had a duty to adequately barricade the Snow Creek Bridge to prevent drivers from driving onto the collapsed portion of the bridge.

112. The Bridge Defendants violated their duties and were negligent, grossly negligent, willful, reckless and/or wanton in the following ways:

- a. Failing to timely repair the Snow Creek Bridge;
- b. Failing to respond to public outcry over the state of the Snow Creek Bridge;
- c. Failing to respond to warnings over the dangers posed by the Snow Creek Bridge;
- d. Failing to adequately barricade entrances to the Snow Creek Bridge;

- e. Failing to maintain the Snow Creek Bridge;
- f. Failing to perform adequate upkeep of the Snow Creek Bridge;
- g. Allowing the Snow Creek Bridge to fall into disrepair;
- h. Failing to expend the necessary funds to repair the Snow Creek Bridge;
- i. Failing to adequately repair the Snow Creek Bridge;
- j. Failing to provide adequate warnings to drivers about the condition of the Snow Creek Bridge;
- k. Neglecting their duty and responsibility to maintain the bridge;
- l. Failing to coordinate with adjoining landowners to adequately maintain the bridge;
- m. Failing to ensure the entrance to the Snow Creek Bridge was barricaded on the evening of the incident;
- n. Allowing the bridge to remain highly dangerous for over eight years;
- o. Failing to transfer responsibility for bridge maintenance to a competent party;
- p. Failing to have the Snow Creek Bridge inspected;
- q. Failing to have permanent and/or temporary lighting in place to warn against the collapsed bridge;
- r. Failing to keep the Snow Creek Bridge up to applicable codes;
- s. Failing to employ competent individuals to repair the Snow Creek Bridge;
- t. Failing to employ competent individuals to inspect the Snow Creek Bridge;
and
- u. Failing to exercise reasonable care under the circumstances.

113. The Bridge Defendants' negligent, grossly negligent, willful, reckless and/or wanton conduct caused Mr. Paxson's injuries and death.

114. As a direct and proximate result of one or more of the foregoing acts of negligence, gross negligence, willfulness, recklessness and/or wanton disregard of human life, Mr. Paxson was killed when his vehicle drove over the collapsed Snow Creek Bridge.

115. As a direct and proximate result of the negligence, gross negligence, willfulness, recklessness and/or wanton disregard of human life of the Bridge Defendants, Mr. Paxson sustained severe and fatal injuries to and about his body, which caused him to suffer, until his death, great pain in body and mind.

116. The Bridge Defendants are jointly and severally liable to Plaintiff for her damages.

117. The conduct of the Google Maps Defendants was willful, wanton, gross, reckless and in complete disregard for the safety of the rights of others.

118. As a result of the Google Maps Defendants' willful, wanton and/or reckless conduct, the Google Maps Defendants are liable to Plaintiff for punitive damages.

119. Plaintiff seeks and is entitled to recover punitive damages in an amount in accordance with N.C. Gen. Stat. § 1D.

120. At or near the time of death, Mr. Paxson was of excellent health, constitution, vigor and habit and as a direct and proximate result of the negligence, gross negligence, willfulness and/or recklessness of the Bridge Defendants and of the collision caused thereby and the resulting death of Mr. Paxson, the heirs and/or next of kin have lost his services, protection, care, assistance, comfort, guidance, kindly offices and advice.

121. Based on the foregoing, Plaintiff is entitled to recover from Defendants compensatory and punitive damages for the wrongful death of Mr. Paxson, the economic damages

resulting from his death, and the pain and suffering he experienced prior to his death in a sum in excess of the minimum jurisdictional limit of this Court for the benefit of the decedent's heirs and/or next of kin.

THIRD CLAIM FOR RELIEF
(Punitive Damages against all Defendants)

122. Plaintiff adopts and re-alleges all preceding paragraphs as though fully set forth herein.

123. The conduct of the Google Maps Defendants and the Bridge Defendants as described above constitutes willful and wanton conduct.

124. The conduct of the Google Maps Defendants and the Bridge Defendants exhibited a conscious disregard for and/or a reckless indifference to the consequences and to the rights and safety of others which they knew or should have known were reasonably likely to cause severe injury death or harm to others including Mr. Paxson and other members of the motoring public.

125. Defendants' willful and wanton conduct as described above proximately caused the fatal injuries suffered by Mr. Paxson and other losses as described herein, and Plaintiff is entitled to recover punitive damages in an amount in excess of the minimum jurisdictional limit of this Court.

FOURTH CLAIM FOR RELIEF
(Loss of Consortium against all Defendants)

126. Plaintiff adopts and re-alleges all preceding paragraphs as though fully set forth herein.

127. At all relevant times, Mrs. Paxson was the lawfully wedded wife of Mr. Paxson.

128. As a result of the negligent, grossly negligent, willful and/or reckless conduct of Defendants, Mrs. Paxson was caused to suffer, and will continue to suffer, loss of consortium, loss of society, affection, assistance, and conjugal fellowship from her husband, Mr. Paxson.

WHEREFORE, Plaintiff respectfully prays the Court as follows:

1. Plaintiff hereby demands a jury trial in this matter;
2. That Plaintiff has and recovers of Defendants, jointly and severally, a sum in excess of the minimum jurisdictional limit of this Court in compensatory damages, exclusive of interests and costs;
3. That Plaintiff has and recovers from Defendants, jointly and severally, punitive damages based on their willful and wanton conduct;
4. That the costs of this action be taxed, including attorney's fees, against Defendants;
5. That Plaintiff recovers from Defendants interest from the date of the filing of this action, as by law provided; and
6. That Plaintiff has such other and further relief as the Court may deem just and proper.

This, the 19th day of September, 2023.

RICCI LAW FIRM, P.A.¹



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¹ Saltz Mongeluzzi Bendesky, P.C. attorneys Larry Bendesky, Robert W. Zimmerman, and Michael T. Benz will be filing Motions for *Pro Hac Vice* Admission upon the filing of this Complaint.