IN THE SUPERIOR COURT OF THE STATE OF ALASKA THIRD JUDICIAL DISTRICT AT ANCHORAGE

RANDI BOWEN, on behalf of the ESTATE of RANDY GENE LYTLE,

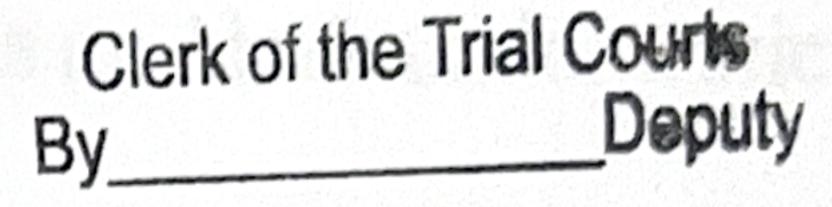
Plaintiff,

FILED in the TRIAL COURTS State of Alaska Third District

v. HILCORP ALASKA, LLC, CCI INDUSTRIAL SERVICES, LLC, and DANIEL SMITH,

Defendants.

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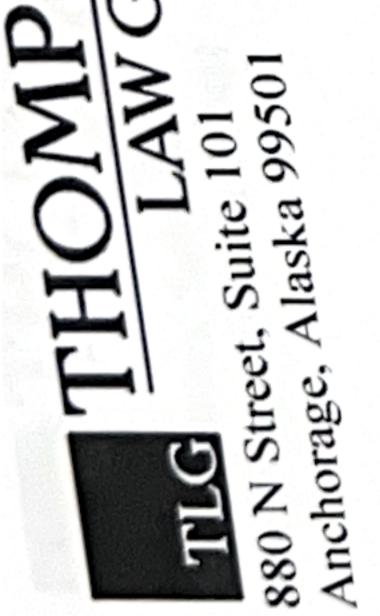


Case No. 3AN-24-

COMPLAINT

COMES NOW, Randi Bowen, on behalf of the Estate of Randy Gene Lytle,

Plaintiff, by and through the undersigned counsel of record, Darryl L.
Thompson, Esq., of the THOMPSON LAW GROUP, and hereby asserts the following claims for relief against Defendants HILCORP ALASKA, LLC, ("Hilcorp"), CCI INDUSTRIAL SERVICES, LLC, ("CCI") and DANIEL SMITH.
<u>PARTIES AND JURISDICTION</u>
1. At all times relevant to the allegations made herein, Ms. Randi Bowen was and remains a resident of the State of Alaska.

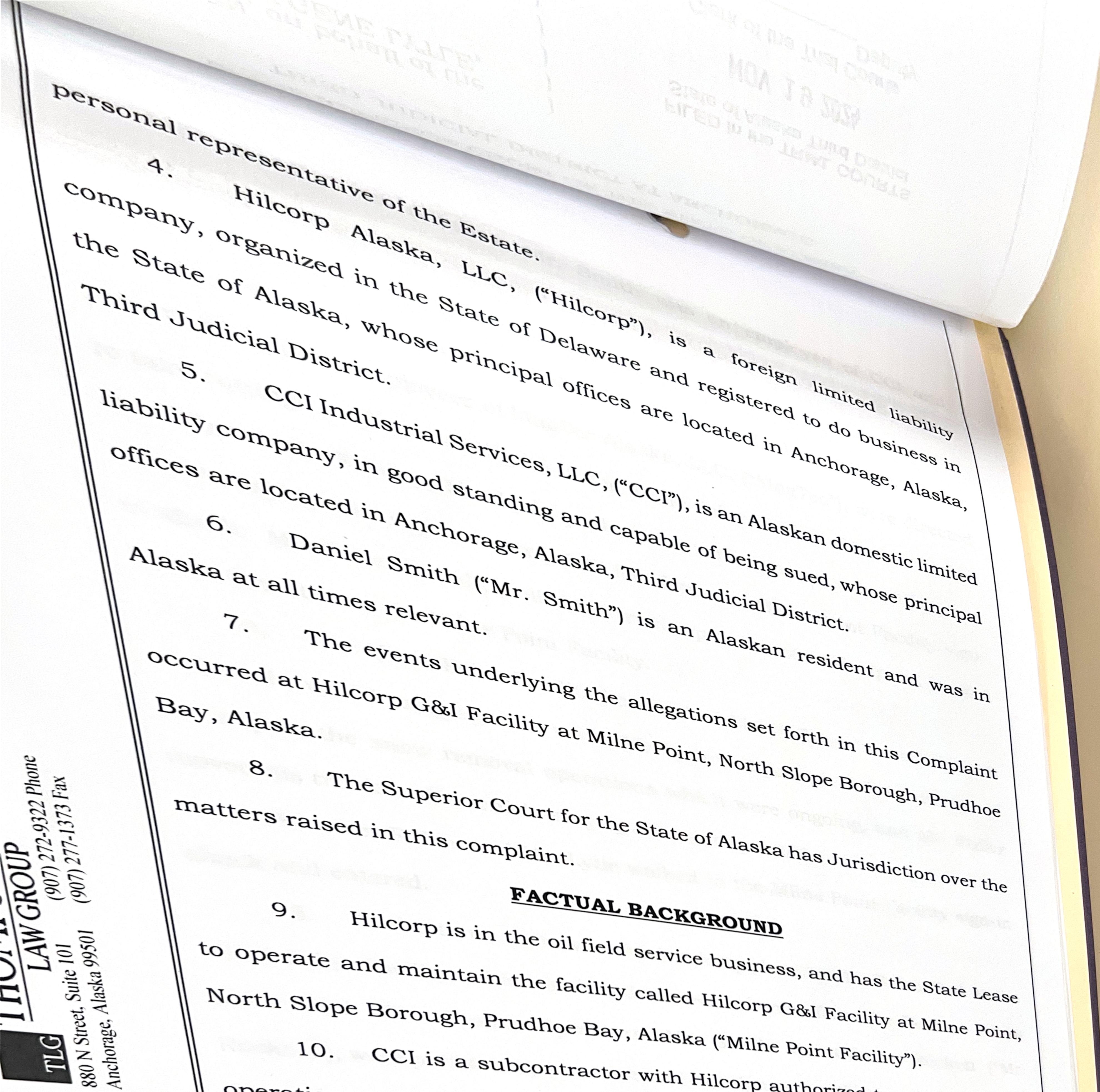


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> 2. At all times relevant to the allegations made herein, Randy Gene Lytle ("Mr. Lytle") was a resident of Alaska.

3. The Estate of Randy Gene Lytle ("Estate") was created pursuant to the laws of the State of Alaska. See In re Estate of Randy Gene Lytle (Case Number 3AN-24-01270PR). Ms. Randi Bowen has been duly appointed the

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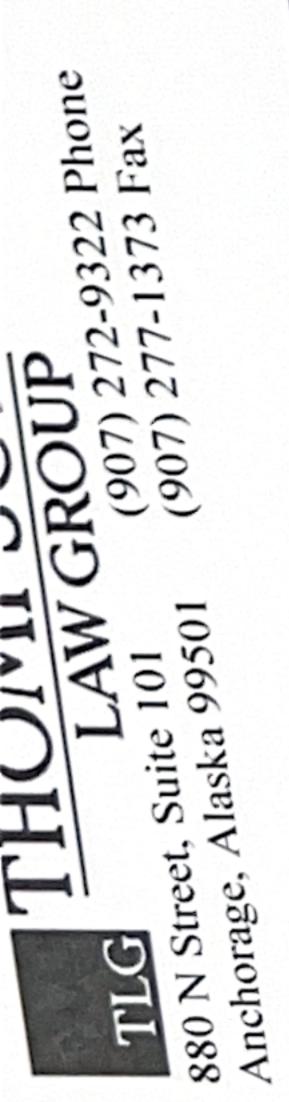


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    Slope Borough, Prudhoe Bay, Alaska ("Milne Point Facility at Milne Point,
10. CCI is a subcontractor with Hilcorp authorized to conduct certain
    Operations at the Milne Point Facility, including, but not limited to, conducting
the snow removal/relocation operations on or at the Milne Point Facility Pad.
    Complaint
Bowen as PR vs. Hilcorp, CCI and Smith | Case No. 3AN-24-____CI
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11. At all times relevant, Mr. Smith was an employee of CCI and engaged in operating heavy equipment, namely a Caterpillar 972 Loader ("Cat 972"), for purposes of snow removal/relocation and lot clearing.
12. That on the morning of May 18, 2024, Mr. Lytle and Robert Fuller ("Mr. Fuller"), both employees of MagTec Alaska, LLC, ("MagTec"), were directed to take cuttings produced at Rig 25 to the Milne Point Facility. Upon arrival at the Milne Point Facility, Mr. Lytle parked the vehicle he was operating in a vehicle staging area approximately 180 feet from the Milne Point Facility signin shack. Mr. Fuller initially pulled his truck up to the concrete apron, located by the bay door at the Milne Point Facility.
13. The Milne Point Facility Lead asked Mr. Fuller to move his truck

back to the vehicle staging area, where Mr. Lytle was parked, so the truck would not impact the snow removal operations which were ongoing, and Mr. Fuller

moved his truck to the vehicle staging area as requested.



14. Mr. Fuller and Mr. Lytle walked to the Milne Point Facility sign-in shack and entered.

15. At the time, there was work taking place on the Baker Pad at the Milne Point Facility, which included removal of snow from the Reserve Pit on

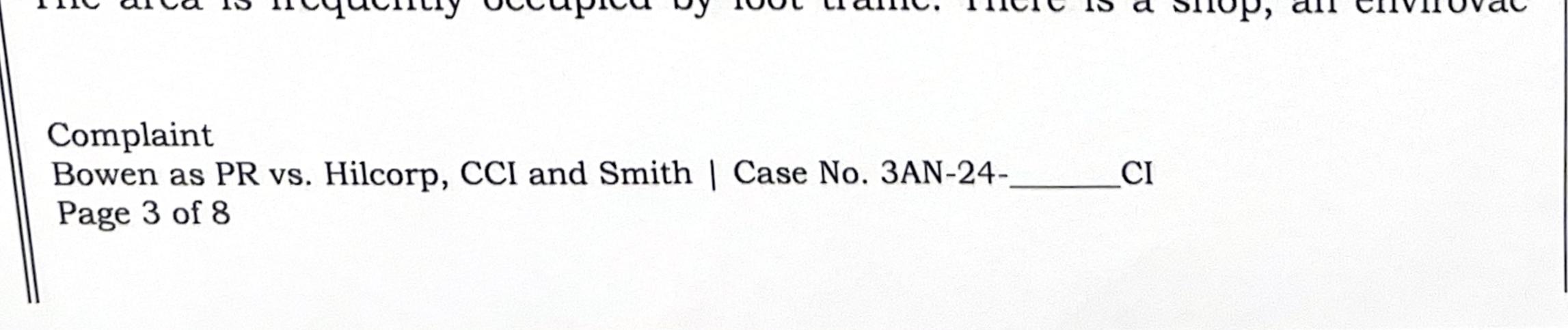
Baker Pad. Two Loader Operators, Mr. Smith and Clinton Rockett ("Mr.

Rockett"), we Pit on the pa

Rockett"), were performing snow removal by taking snow that was in the Reserve

Pit on the pad and moving it to an alternate spot, located at the edge of the pad.

The area is frequently occupied by foot traffic. There is a shop, an envirovac



unit, and parking in the area with individuals traveling between areas on foot.

16. That Mr. Fuller and Mr. Lytle proceeded to have a discussion with

the Milne Point Facility Lead who provided directions on which truck to offload

first, and it was decided that the truck ran by Mr. Lytle would be offloaded first.

After receiving this direction, the Milne Point Facility Roustabout opened the

sign-in shack door and walked out with Mr. Lytle. The Roustabout walked into

the open bay door in preparation to offload the MagTec truck. Mr. Smith was

enroute to dump an overloaded bucket of snow prior to joining Mr. Rockett for

break.

17. As Mr. Lytle was walking across the parking lot to get the truck for offloading, he was struck from behind by the bucket of the Cat 972 loader,

HOMPSOIP LAW GROUP 272-9322 Phone (907) 272-9322 Phone (907) 277-1373 Fax (907) 277-1373 Fax operated by Mr. Smith and was subsequently run over by the loaders front and

rear tires. Mr. Lytle died from his injuries.

18. At the time of the incident, Mr. Smith was traveling through a

congested traffic area, with known blind spots, with a snow load that exceed the maximum bucket volume by an estimated 30"-38" in height. Mr. Smith was

traveling with the bucket at a height that prevented him from seeing objects and

traffic ahead of his line of travel.

19. Mr. Smith had too large a load of snow in the bucket of the Cat 972



and was carrying it at a height that prevented him from having prudent and

proper visibility as to person or objects that may be in front of him.

20. Mr. Smith was traveling too fast for conditions including the fact of

Complaint Bowen as PR vs. Hilcorp, CCI and Smith | Case No. 3AN-24-____CI Page 4 of 8 traveling in an area with heavily congested vehicle and foot traffic with known

blind spots and was also traveling with an over loaded bucket of snow which

exceeded maximum volume, containing approximately 9'6" of snow and he had

the bucket higher off the ground than was prudent and necessary which further

obstructed his visibility.

21. There was insufficient signage, safety precautions, communication

polices in place to direct traffic in the highly congested site and/or inadequate

safety procedures in place to prevent conflicts between foot and vehicle traffic.

22. That at all times relevant, Mr. Smith was acting in the course and

scope of his employment, and CCI is liable for the actions and inactions of its

employee, Mr. Smith.

responsibility to properly enforce equipment loading limits, and to provide

23. That at all times relevant, Hilcorp and CCI had a duty and

necessary and proper training on safe loading practices, and they breached this

duty by failing to properly enforce the loading limits and train staff and

operators on the safe loading limits. Breach of this duty was a substantial factor

in the causing the death of Mr. Lytle.

24. That at all times relevant, there was no radio system provided for

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Milne Point Operating Field, and Hilcorp and CCI had a duty and responsibility

install and maintain an effective radio communication system and breached

their duties by failing to provide an adequate on-site communication system.

The failure to provide an adequate on-site communication system contributed

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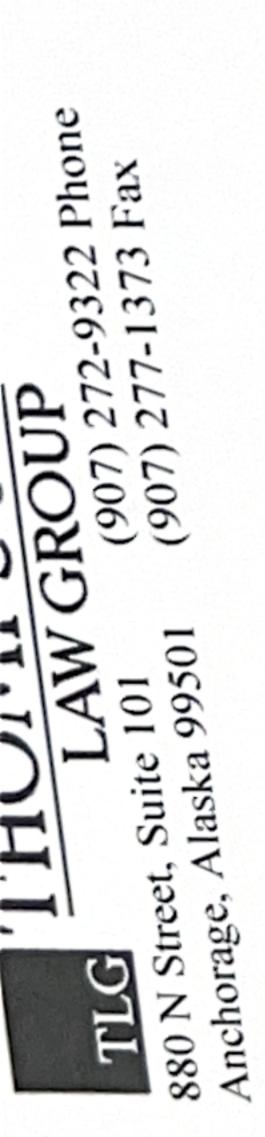
to Mr. Lytle's death.

That at all times relevant, Hilcorp and CCI had a duty to provide 25. and enforce adequate Site Access Procedures for accessing Milne Point and to provide training to all personnel of a standardized site access procedures. Both Hilcorp and CCI breached this duty by having inadequate Site Access Procedures and by failing to provide adequate training and enforcement of said

Site Access Procedures. This breach of duty contributed to the death of Mr. Lytle.

That at all times relevant, Hilcorp and CCI had a duty and 26. responsibility to provide sufficient Signage and Safety Measures, including signage indicating required radio systems, caution at blind spots, and safety protocols, and they breached their duties by creating an environment with

inadequate hazard communications. Their breach of duty was a substantial



factor in causing Randy's death.

27. That at all times relevant, Hilcorp and CCI had a duty and

responsibility to require and enforce policies that require all personnel on site

at the Milne Point Facility be required to wear adequate Personal Protective

Equipment (PPE), and they breached their duty by not enforcing PPE policies

and by not conducting regular compliance checks. This breach of duty

contributed to the death of Mr. Lytle.

FIRST CAUSE OF ACTION - WRONGFUL DEATH

28. All of the allegations set forth above are incorporated herein to the Complaint Bowen as PR vs. Hilcorp, CCI and Smith | Case No. 3AN-24-_ CI Page 6 of 8

same extent as if fully set forth.

29. Defendants engaged in negligent conduct, and breach their duties

as outlined above which caused the death of Mr. Lytle.

30. Pursuant to AS 9.55.580, the Plaintiff is seeking all enumerated

and allowable damages, the exact amount to be proven at the time of trial.

SECOND CAUSE OF ACTION – NEGLIGENCE

31. All of the allegations set forth above are incorporated herein to the same extent as if fully set forth.

32. Defendants engaged in conduct and failed to take proper precautions that breached the duty of care each respectively had, and further

engaged in negligent conduct by failing to act with the amount of care that a

reasonably careful person would do in the same situation.

33. As a result of its actions, the Defendants are liable to Plaintiff pursuant to the legal principles of negligence, and for all damages resulting

therefrom, the exact amount to be proven at the time of trial.

THIRD CAUSE OF ACTION – SURVIVAL CLAIMS

34. All of the allegations set forth above are incorporated herein to the



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same extent as if fully set forth.

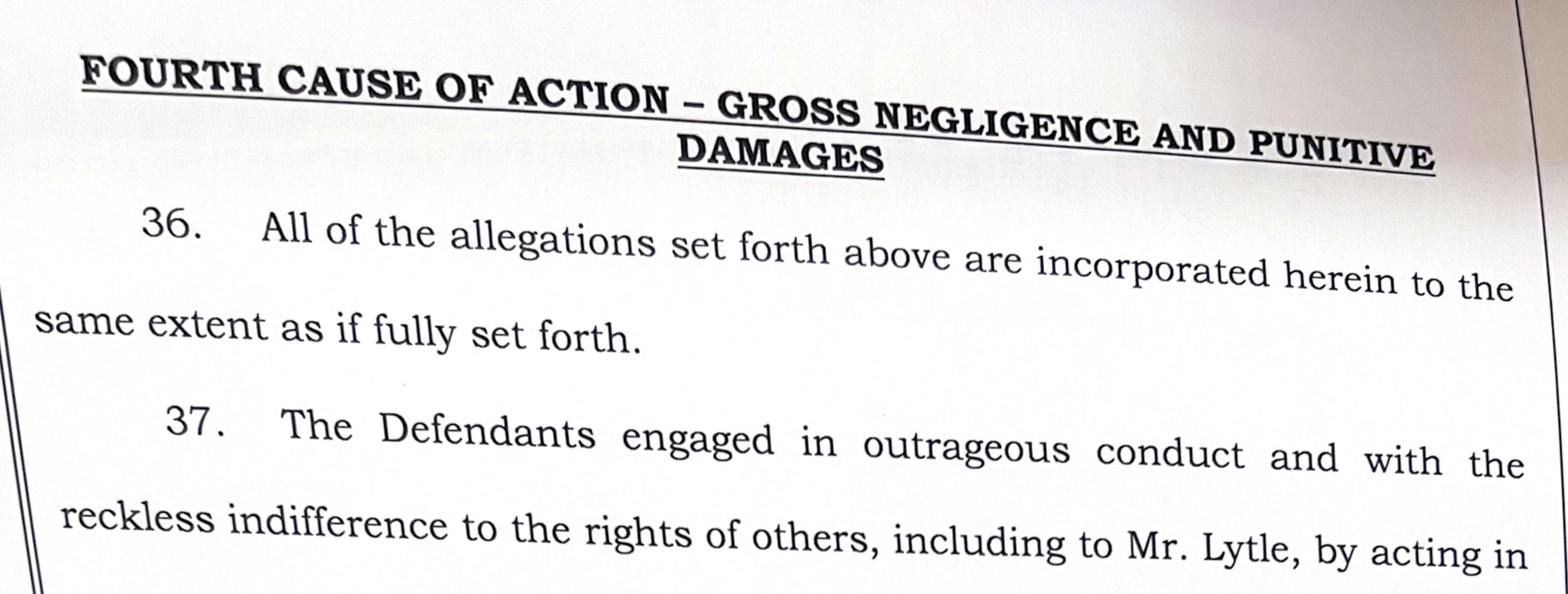
35. Mr. Lytle was first knocked to the ground by the Loader and then ran

over, likely feet first and he likely suffered extreme fear and pain before his

ultimate death. Defendants are liable to his estate for his pre-death fear and

pain and suffering under AS 09.55.570.

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a manner which was an extreme departure from the amount of care a reasonably careful person would use in the same situation.

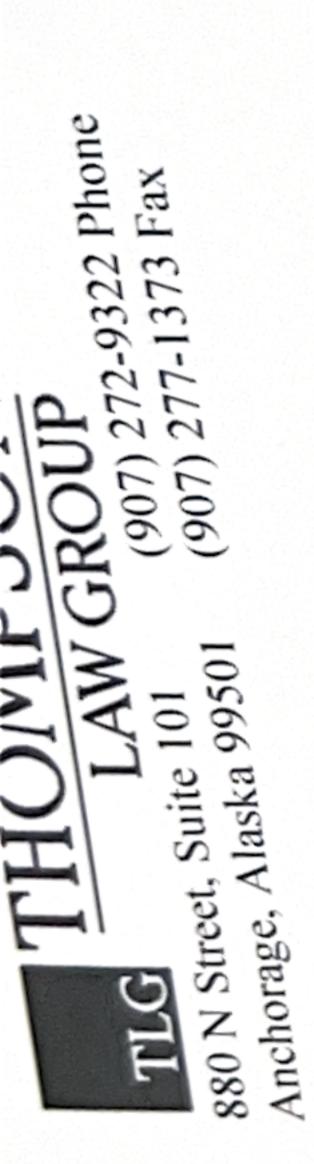
> 38. Pursuant to AS 9.17.020, Defendants are liable for punitive

damages, the exact amount to be proven at the time of trial.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for the following relief:

- Compensatory damages in excess of \$100,000, the exact amount to 1.



be more specifically determined at trial;

- 2. Punitive damages;
- 3. Pre- and post-judgment interest;
- 4. Actual costs and attorneys' fees; and
- Such other and further relief as the Court deems just and proper. 5.

DATED at Anchorage, Alaska this 19th day of November 2024.

THOMPSON LAW GROUP Attorneys for Plaintiff

Darryl L. Thompson

DARRYL L. THOMPSON, ESQ. ABA NO: 8706055 Complaint Bowen as PR vs. Hilcorp, CCI and Smith | Case No. 3AN-24-____CI Page 8 of 8