

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,

v.

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

Defendants.

FILED in the TRIAL COURTS  
 State of Alaska Third District

NOV 19 2024

Clerk of the Trial Courts  
 By \_\_\_\_\_ Deputy

Case No. 3AN-24-

10090  
 CI

**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.

**PARTIES AND JURISDICTION**

1. At all times relevant to the allegations made herein, Ms. Randi Bowen was and remains a resident of the State of Alaska.
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

Complaint

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personal representative of the Estate.

4. Hilcorp Alaska, LLC, ("Hilcorp"), is a foreign limited liability company, organized in the State of Delaware and registered to do business in the State of Alaska, whose principal offices are located in Anchorage, Alaska, Third Judicial District.

5. CCI Industrial Services, LLC, ("CCI"), is an Alaskan domestic limited liability company, in good standing and capable of being sued, whose principal offices are located in Anchorage, Alaska, Third Judicial District.

6. Daniel Smith ("Mr. Smith") is an Alaskan resident and was in Alaska at all times relevant.

7. The events underlying the allegations set forth in this Complaint occurred at Hilcorp G&I Facility at Milne Point, North Slope Borough, Prudhoe Bay, Alaska.

8. The Superior Court for the State of Alaska has Jurisdiction over the matters raised in this complaint.

**FACTUAL BACKGROUND**

9. Hilcorp is in the oil field service business, and has the State Lease to operate and maintain the facility called Hilcorp G&I Facility at Milne Point, North Slope Borough, Prudhoe Bay, Alaska ("Milne Point Facility").

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.

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 sign-in 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"), 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, 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

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.

23. That at all times relevant, Hilcorp and CCI had a duty and responsibility to properly enforce equipment loading limits, and to provide 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 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

to Mr. Lytle's death.

25. That at all times relevant, Hilcorp and CCI had a duty to provide 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.

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

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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 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.

**FOURTH CAUSE OF ACTION – GROSS NEGLIGENCE AND PUNITIVE DAMAGES**

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

37. The Defendants engaged in outrageous conduct and with the reckless indifference to the rights of others, including to Mr. Lytle, by acting in 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:

1. Compensatory damages in excess of \$100,000, the exact amount to be more specifically determined at trial;
2. Punitive damages;
3. Pre- and post-judgment interest;
4. Actual costs and attorneys' fees; and
5. Such other and further relief as the Court deems just and proper.

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

THOMPSON LAW GROUP  
Attorneys for Plaintiff

/s/ Darryl L. Thompson  
DARRYL L. THOMPSON, ESQ.  
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