

COMMONWEALTH OF VIRGINIA



CHESAPEAKE CIRCUIT COURT
Civil Division
307 ALBEMARLE DR. 300A
CHESAPEAKE VA
(757) 382-3037

Summons

To: PHILIP M ARMSTRONG III
ADMINISTRATOR OF ESTATE OF
ANDRE M. BING, DECEASED

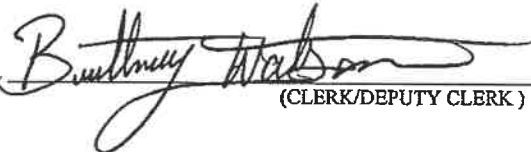
Case No. 550CL23000622-00

The party upon whom this summons and the attached complaint are served is hereby notified that unless within 21 days after such service, response is made by filing in the clerk's office of this court a pleading in writing, in proper legal form, the allegations and charges may be taken as admitted and the court may enter an order, judgment, or decree against such party either by default or after hearing evidence.

Appearance in person is not required by this summons.

Done in the name of the Commonwealth of Virginia on, Monday, January 23, 2023

Clerk of Court: ALAN P KRASNOFF

by 
(CLERK/DEPUTY CLERK)

Instructions:

Hearing Official:

Attorney's name: SANDLER, GREGORY L
(757)-627-8900

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF CHESAPEAKE

TERESA R. BLEVINS
Executor of the Estate of
RANDALL B. BLEVINS, deceased

Plaintiff

v.

Law No. *CL23-622*

PHILIP M. ARMSTRONG, III
Administrator of the Estate of
ANDRE M. BING, deceased
Serve :

and

WALMART, INC. t/a Walmart Superstore
A Delaware Corporation
Serve: **CT Corporation Systems, Registered Agent**
4701 Cox Road, Suite 285
Glen Allen, VA 23060

And

WAL-MART STORES EAST, L.P., t/a Walmart Superstore
A Limited Partnership
Serve: **CT Corporation Systems, Registered Agent**
4701 Cox Road, Suite 285
Glen Allen, VA 23060

Defendants

COMPLAINT

NOW COMES the Plaintiff, Teresa R. Blevins, Executor of the Estate of Randall B. Blevins, deceased, by and through counsel and moves this Honorable Court for judgment against the Defendants, jointly and severally, and for an award of immediate execution, on the grounds and in the amounts set forth herein.

FILED IN CLERK'S OFFICE
2023 JAN 23 AM 11:39
CHESAPEAKE CIRCUIT COURT
BY _____ D.S.

PARTIES TO THIS ACTION

1. Randall B. Blevins (hereinafter referred to as “Randy”) was, at the time of his death, seventy (70) years old and was a resident of the City of Chesapeake, Virginia, specifically residing at 707 D Street, Chesapeake, Virginia 23324.

2. Randall B. Blevins died on November 22, 2022, in the City of Chesapeake, Virginia.

3. On December 14, 2022, Teresa R. Blevins qualified as the Executor of the Estate of Randall B. Blevins, (hereinafter referred to as “Plaintiff”) in the Circuit Court for the City of Chesapeake, pursuant to the Last Will and Testament of Randall B. Blevins and was granted Letters of Administration on that date.

4. Teresa R. Blevins is a resident of the City of Chesapeake, Virginia, specifically residing at 1226 Anne Avenue, Chesapeake, Virginia 23324.

5. Andre M. Bing (hereinafter referred to as “Bing”) was, at the time of his death, a resident of the City of Chesapeake, Virginia, specifically residing at 1319 E. Eva Boulevard, Chesapeake, Virginia 23320.

6. Andre M. Bing died on November 22, 2022, in the City of Chesapeake, Virginia.

7. On January 23, 2023, Philip M. Armstrong, III qualified as the Administrator of the Estate of Andre M. Bing, pursuant to Section 64.2-454 of the Code of Virginia of 1950, as amended.

8. The appointment of Philip M. Armstrong, III as Administrator of the Estate of Andre M. Bing, is, pursuant to said statute, solely in connection with the matters alleged in this

Complaint for a civil action for wrongful death arising within the Commonwealth of Virginia against the estate of Andre M. Bing.

9. Philip M. Armstrong, III is a resident of Virginia Beach, Virginia, specifically residing at 4501 Harshaw Court, Virginia Beach, Virginia 23456.

10. Defendant Walmart, Inc. is a Delaware Corporation with its principal place of business located at 702 SW 8th Street, Bentonville, Arkansas 72716.

11. Defendant Wal-Mart Stores East, L.P. is a Limited Partnership with its principal place of business located at 702 SW 8th Street, Bentonville, Arkansas 72716.

12. Upon information and belief, Walmart, Inc. and/or Wal-Mart Stores East, L.P. did on November 22, 2022, operate a retail merchandise sales business located at 1521 Sam's Circle, Chesapeake, Virginia 23320, otherwise identified as Walmart Store #1821 and hereinafter referred to as "Walmart Superstore".

13. Upon information and belief, Walmart, Inc. did on November 22, 2022, operate a retail merchandise sales business located at 1521 Sam's Circle, Chesapeake, Virginia 23320, otherwise identified as Walmart Store #1821.

14. Hereinafter Walmart, Inc. and Wal-Mart Stores East, L.P. will collectively be included in references to "Walmart".

JURISDICTION AND VENUE

15. The Circuit Court of the City of Chesapeake has proper subject matter jurisdiction over this action as all events giving rise to the causes of action plead herein occurred in the Commonwealth of Virginia.

16. The Circuit Court of the City of Chesapeake has personal jurisdiction over the named defendants and over Andre M. Bing and his estate, as all defendants are alleged to have caused tortious injury within the Commonwealth of Virginia.

17. Pursuant to Code Section 8.01-262 of the Code of Virginia of 1950, as amended, Category B Permissive venue lies with the Circuit Court of the City of Chesapeake as the cause of action arose within the City of Chesapeake, and Andre M. Bing and the Plaintiff resided in Chesapeake.

18. Federal Diversity Jurisdiction pursuant to 28 U.S.C. 1332 does not lie for this action as both the Plaintiff's decedent and the Defendant's decedent, Andre M. Bing, were residents of the Commonwealth of Virginia and of the City of Chesapeake, Virginia and both the Plaintiff, Teresa R. Blevins, Executor of the Estate of Randall B. Blevins and Defendant, Philip M. Armstrong, III, Administrator of the Estate of Andre M. Bing, are residents of Virginia.

19. This action is brought pursuant to Section 8.01-50, et seq of the Code of Virginia of 1950, as amended, alleging that the actions and omissions of the Defendants caused the wrongful death of Randall B. Blevins, on November 22, 2022, in the City of Chesapeake.

COUNT I
BATTERY RESULTING IN WRONGFUL DEATH

Plaintiff hereby repeats and realleges the contents of paragraphs 1 through 19 above and incorporates same as if fully set forth hereinbelow.

20. On November 22, 2022, Randy was an employee of Walmart.

21. As of November 22, 2022, Randy had been an employee of Walmart for more than 20 years.

22. On November 22, 2022, Randy was employed by Walmart in the capacity of a night stocker.

23. On November 22, 2022, Randy's duties as an employee of Walmart in the capacity of a night stocker, were to work a shift commencing at 10:00 p.m., and included unloading trucks, moving pallets and placing merchandise within the store, during the hours when the store was closed to the general public.

24. On November 22, 2022, Randy clocked into work sometime before 10:00 p.m.

25. On November 22, 2022, prior to or immediately at the start of his shift, Randy was sitting in the break room at the Walmart Superstore, located at 1521 Sam's Circle, Chesapeake, Virginia 23320.

26. The commencement of Randy's night shift ordinarily began with employees who were assigned to the night shift gathering in the break room for instructions and briefing by the night shift supervisor.

27. On November 22, 2022, the night shift supervisor was Andre M. Bing.

28. On November 22, 2022, Bing was an employee of Walmart.

29. By November 22, 2022, Bing had been an employee of Walmart for in excess of ten (10) years.

30. On November 22, 2022, at approximately 10:00 p.m., Bing entered the break room in which Randy was sitting.

31. Upon entering the break room, Bing, who was in possession of a gun, began firing the gun.

32. On November 22, 2022, at the above referenced location, Bing had an affirmative duty not to engage in unwanted physical contact with another person, without their consent, and a duty not to cause intentional physical harm to another person.

33. Bing breached the aforesaid duties by purposefully, willfully and intentionally shooting a gun at Randy, striking Randy with the bullet from the gun, multiple times, and directly causing Randy's death.

34. As a direct and proximate result of Bing intentional act of firing the gun, Randy was struck by bullets, resulting in his immediate death.

35. Upon information and belief, Bing intentionally fired the gun and intentionally fired the gun at Randy, intending to cause him serious bodily harm and death.

36. Bing's shooting of Randy was unprovoked.

37. Randy did not instigate any physical contact with Bing.

38. Randy did not consent to the physical contact with the bullet caused by Bing.

39. Bing's actions in shooting and striking Randy constituted a civil battery upon Randy.

40. Bing's actions were willful, intentional, purposeful and designed to cause physical harm to Randy.

41. In fact, the bullets fired by Bing, caused the wrongful death of Randall B. Blevins on November 22, 2022.

42. As a result of Bing's intentional commission of a battery upon Randy resulting in his death, Randy's statutory beneficiaries, pursuant to Section 8.01-52, suffered losses including but not limited to:

- a. Sorrow, mental anguish, and solace which may include society, companionship, comfort, guidance, kindly offices and advice of Randy, the decedent;
- b. Compensation for reasonably expected loss of (i) income of the decedent and (ii) services, protection, care and assistance provided by the decedent;
- c. Reasonable funeral expenses associated with Randy's burial.
- d. Punitive damages as a result of the willful, wanton and intentional actions of Bing in committing a battery upon Randy.

WHEREFORE, the Plaintiff, Teresa R. Blevins, Executor of the Estate of Randall B. Blevins, hereby prays that this Court grant judgment in her favor and against Philip M. Armstrong, III, Administrator of the Estate of Andre M. Bing, as appointed pursuant to Section 64.2-454 of the Code of Virginia, in the sum of FIVE MILLION (\$5,000,000.00) DOLLARS as compensatory damages and in the additional sum of FIVE MILLION (\$5,000,000.00) DOLLARS as punitive damages, together with prejudgment interest from November 22, 2022, Plaintiff's costs incurred and such other and further relief as the nature of the Plaintiff's cause may deem appropriate.

COUNT II
NEGLIGENCE RESULTING IN WRONGFUL DEATH

Plaintiff hereby repeats and realleges the contents of paragraphs 1 through 42 above and incorporates same as if fully set forth hereinbelow.

43. On November 22, 2022, when Bing entered the break room, there were several other occupants therein, in addition to Randy.

44. Upon information and belief, Bing, upon entering the room, began to fire his gun around the room, striking objects as well as people.

45. Upon information and belief, Bing purchased the gun on November 22, 2022.

46. On November 22, 2022, when Bing entered the break room brandishing a gun, he had a duty to exercise that degree of care which an ordinarily prudent person would exercise in similar circumstances and in connection with the possession and use of a firearm, owed a duty of care to other persons not to cause injury to them as a result of the use and possession of a firearm, and a duty of care to avoid utilizing the gun in an unreasonable manner.

47. On November 22, 2022, Bing breached the duty to exercise that degree of care which an ordinarily prudent person would exercise under the same or similar circumstances to avoid injury to another, by shooting the weapon in a closed room occupied by other persons and such conduct constituted negligence.

48. Bing's negligence on November 22, 2022 was the proximate cause of the wrongful death of Randy, due to gunshot wounds inflicted by Bing.

49. As a result of Bing's breach of duty and negligent actions resulting in Randy's his death, Randy's statutory beneficiaries, pursuant to Section 8.01-52, suffered losses including but not limited to:

- a. Sorrow, mental anguish, and solace which may include society, companionship, comfort, guidance, kindly offices and advice of the Randy, the decedent;
- b. Compensation for reasonably expected loss of (i) income of the decedent and (ii) services, protection, care and assistance provided by the decedent;
- c. Reasonable funeral expenses associated with Randy's burial.

WHEREFORE, the Plaintiff, Teresa R. Blevins, Executor of the Estate of Randall B. Blevins, hereby prays that this Court grant judgment in her favor and against Philip M.

Armstrong, III, Administrator of the Estate of Andre M. Bing, as appointed pursuant to Section 64.2-454 of the Code of Virginia, in the sum of FIVE MILLION (\$5,000,000.00) DOLLARS as compensatory damages together with prejudgment interest from November 22, 2022, Plaintiff's costs incurred and such other and further relief as the nature of the Plaintiff's cause may deem appropriate.

COUNT III
GROSS NEGLIGENCE RESULTING IN WRONGFUL DEATH

Plaintiff hereby repeats and realleges the contents of paragraphs I through 49 above and incorporates same as if fully set forth hereinbelow.

50. On November 22, 2022, when Bing entered the break room and began to fire the gun, he had a duty not to act in such a manner which demonstrated utter disregard of prudence and a complete neglect of the safety of another that would shock fair minded people.

51. Bing's conduct on November 22, 2022, in firing a gun repeatedly within an enclosed room occupied by people, constituted a breach of the aforesaid duty and thus constituted gross negligence.

52. Bing's gross negligence on November 22, 2022 was the proximate cause of the wrongful death of Randy, due to gunshot wounds inflicted by Bing.

53. As a result of Bing's breach of duty and gross negligence resulting in Randy's his death, Randy's statutory beneficiaries, pursuant to Section 8.01-52, suffered losses including but not limited to:

a. Sorrow, mental anguish, and solace which may include society, companionship, comfort, guidance, kindly offices and advice of Randy, the decedent;

b. Compensation for reasonably expected loss of (i) income of the decedent and (ii) services, protection, care and assistance provided by the decedent;

c. Reasonable funeral expenses associated with Randy's burial.

WHEREFORE, the Plaintiff, Teresa R. Blevins, Executor of the Estate of Randall B. Blevins, hereby prays that this Court grant judgment in her favor and against Philip M. Armstrong, III, Administrator of the Estate of Andre M. Bing, as appointed pursuant to Section 64.2-454 of the Code of Virginia, in the sum of FIVE MILLION (\$5,000,000.00) DOLLARS as compensatory damages together with prejudgment interest from November 22, 2022, Plaintiff's costs incurred and such other and further relief as the nature of the Plaintiff's cause may deem appropriate.

COUNT IV
WILLFUL AND WANTON NEGLIGENCE RESULTING IN
WRONGFUL DEATH

Plaintiff hereby repeats and realleges the contents of paragraphs 1 through 53 above and incorporates same as if fully set forth hereinbelow.

54. On November 22, 2022, when Bing entered the break room and began repeatedly and randomly firing the gun in the direction of people inside the room, Bing had a duty not to act consciously in disregard of another person's rights or act with reckless indifference to the consequences, with the defendant aware, from his knowledge of existing circumstances and conditions, that his conduct probably would cause injury to another.

55. Bing's conduct on November 22, 2022, in opening fire with a gun, in an enclosed room occupied with people, directing his conduct at the persons in the room, having just purchased the gun on the very same day, evidenced willful and wanton conduct and the nature of

the act was such that Bing was aware that his conduct probably would cause injury to another or cause the death of another.

56. Bing's conduct as aforesaid, acting with conscious disregard of Randy's person, safety and life and with reckless indifference to the consequences of his actions, constituted a breach of the aforesaid duty and thus constituted willful and wanton negligence.

57. Bing's willful and wanton negligence on November 22, 2022, was the proximate cause of the wrongful death of Randy, due to gunshots inflicted by Bing.

58. As a result of Bing's willful, wanton and reckless conduct resulting in his death, Randy's statutory beneficiaries, pursuant to Section 8.01-52, suffered losses including but not limited to:

- a. Sorrow, mental anguish, and solace which may include society, companionship, comfort, guidance, kindly offices and advice of Randy, the decedent;
- b. Compensation for reasonably expected loss of (i) income of the decedent and (ii) services, protection, care and assistance provided by the decedent;
- c. Reasonable funeral expenses associated with Randy's burial.
- d. Punitive damages as a result of the willful, wanton actions of Bing in causing the death of Randy.

WHEREFORE, the Plaintiff, Teresa R. Blevins, Executor of the Estate of Randall B. Blevins, hereby prays that this Court grant judgment in her favor and against Philip M. Armstrong, III, Administrator of the Estate of Andre M. Bing, as appointed pursuant to Section 64.2-454 of the Code of Virginia, in the sum of FIVE MILLION (\$5,000,000.00) DOLLARS as compensatory damages and in the additional sum of FIVE MILLION (\$5,000,000.00)

DOLLARS as punitive damages, together with prejudgment interest from November 22, 2022, Plaintiff's costs incurred and such other and further relief as the nature of the Plaintiff's cause may deem appropriate.

COUNT V
RESPONDEAT SUPERIOR LIABILITY CLAIM AGAINST WALMART

Plaintiff hereby repeats and realleges the contents of paragraphs 1 through 58 above and incorporates same as if fully set forth hereinbelow.

59. On November 22, 2022, Bing was an employee of Walmart.

60. On November 22, 2022, Randy was an employee of Walmart.

61. On November 22, 2022, both Randy and Bing were employed at the Walmart location at 1521 Sam's Circle, Chesapeake, Virginia 23320.

62. On November 22, 2022, both Randy and Bing were employed working on the same shift of employment at Walmart.

63. On November 22, 2022, at the moment when Bing shot Randy, both Randy and Bing had begun their shifts as employees of Walmart.

64. On November 22, 2022, Bing was the shift supervisor or manager of Randy.

65. The break room located at the Walmart at 1521 Sam's Circle, Chesapeake, Virginia 23320 was provided by Walmart for use by employees.

66. On November 22, 2022, the evening shift commenced by a gathering of employees in the break room to receive instructions from Bing as the shift supervisor, as was the consistent policy and practice of Walmart at that store for that shift.

67. On November 22, 2022, at the time that Bing entered the break room both Bing and Randy were employees of Walmart, were present on the property in the ordinary course of their employment with Walmart.

68. On November 22, 2022, at the time that Bing entered the break room both Bing and Randy were employees of Walmart and were present in the break room and acting within the scope of their employment with Walmart.

69. On November 22, 2022, the services for which Bing had been employed for many years included participating and conducting a meeting of the night shift personnel in the break room on the Walmart premises and supervising the persons on the night shift, including Randy.

70. Employees working for Walmart on the night shift were required to assemble in the break room to receive information and instruction from Bing, and Bing knew that the employees would be gathered to await him in the ordinary course of their work schedule.

71. The actions which resulted in the wrongful death of Randy were performed while Bing was located in the area where he and Randy were required to be within the Walmart premises and Bing and Randy were engaged in precisely the manner in which their duties were to be carried out, consistent with the ordinary course of Walmart's business.

72. Walmart is vicariously liable for the tortious acts of Bing, as set forth in Counts I through IV of this Complaint, as Bing was performing his duties as a Walmart employee, in connection with Walmart's business and acting within the course and scope of his employment with Walmart.

73. Bing was actively engaged in a job-related service as an employee of Walmart at the time that he entered the break room, knowing that his duties required him to address the night

shift workers at the commencement of the shift and knowing that they would be present and awaiting him.

74. Despite Bing's actions having been taken within the scope of his employment and having occurred within the course of his employment, Randy's injury and death did not arise out of employment as interpreted in association with Section 65.2-101 of the Code of Virginia of 1950 as amended.

75. The physical duties of Randy's employment with Walmart, including unloading trucks, moving pallets and placing merchandise in the store after closing hours, would not be reasonably foreseen to result in Randy being shot and killed.

76. The location and scope of Randy's employment with Walmart would not be reasonably foreseen to result in Randy being shot and killed.

77. Nothing in any written job description for Randy's position with Walmart would reasonably expose Randy to being shot and killed while performing his tasks for Walmart.

78. The cause of Randy's death was not peculiar to the work in which he was engaged.

79. The particular injury of the gun shot causing Randy's death cannot be seen as a natural incident of the work, nor reasonably contemplated by a person familiar with the work duties and exposure of Randy's position as a night shift stacker, and therefore Randy's injury did not arise out of his employment.

80. As a direct and proximate result of the conduct of Bing, as described in Counts I through IV above, taken while in the course and scope of his employment with Walmart, Randy was killed.

81. As a direct and proximate result of Bing's actions as set forth in Counts I through IV of this Complaint, having been taken while in the course and scope of employment with Walmart, Walmart is vicariously liable for the wrongful death of Randy.

82. As a result of Walmart's vicarious liability for the actions of Bing, resulting in Randy's death, Randy's statutory beneficiaries, pursuant to Section 8.01-52, suffered losses including but not limited to:

- a. Sorrow, mental anguish, and solace which may include society, companionship, comfort, guidance, kindly offices and advice of Randy, the decedent;
- b. Compensation for reasonably expected loss of (i) income of the decedent and (ii) services, protection, care and assistance provided by the decedent;
- c. Reasonable funeral expenses associated with Randy's burial.
- d. Punitive damages as a result of the willful, wanton actions of Bing in committing a battery upon Randy.

WHEREFORE, the Plaintiff, Teresa R. Blevins, Executor of the Estate of Randall B. Blevins, hereby prays that this Court grant judgment in her favor and against Walmart, Inc., Wal-Mart Stores East, L.P. and Philip M. Armstrong, III, Administrator of the Estate of Andre M. Bing, as appointed pursuant to Section 64.2-454 of the Code of Virginia, jointly and severally, in the sum of FIVE MILLION (\$5,000,000.00) DOLLARS as compensatory damages and in the additional sum of FIVE MILLION (\$5,000,000.00) DOLLARS as punitive damages, together with prejudgment interest from November 22, 2022, Plaintiff's costs incurred and such other and further relief as the nature of the Plaintiff's cause may deem appropriate.

COUNT VI
NEGLIGENT RETENTION CLAIM AGAINST WALMART

Plaintiff hereby repeats and realleges the contents of paragraphs 1 through 82 above and incorporates same as if fully set forth hereinbelow.

83. In Virginia, a claim for negligent retention exists for harm resulting from the employer's negligence in retaining a dangerous employee who the employer knew or should have known was dangerous and likely to harm others.

84. Bing is believed to have been an employee of Walmart for approximately 10 years prior to November 22, 2022.

85. Throughout Bing's employment with Walmart, Walmart owed a duty of care to others to terminate Bing if Walmart knew or should have known that Bing was likely to harm others.

86. Walmart's obligation in satisfying this duty to others was to terminate Bing's employment.

87. At no time did Walmart fulfill its duty by terminating Bing, despite Walmart being aware of the following accumulation of facts and circumstances, which, upon information and belief were communicated to Walmart prior to November 22, 2022:

a. Co-employees of Bing, in the employ of Walmart, had received comments by Bing that he would be violent if fired or disciplined.

b. Bing made comments to other employees of Walmart that he "liked" guns, a comment which substantiated his comments about violence should he be terminated.

c. Bing allegedly made comments admitting that he purposefully killed an animal.

d. Walmart employees were aware that Bing's reputation was as a cruel manager, and one who should be avoided to avoid trouble.

e. Upon information and belief, approximately 2 years prior to November 22, 2022, Walmart had investigated Bing for his conduct as an employee, had disciplined Bing as a result, and yet subsequently returned Bing to his supervisory capacity. Discovery will allow investigation as to the source of the complaints, the nature and substance of the complaints and the evidence found by Walmart to support its decision to discipline Bing.

f. Fellow employees repeatedly reported disturbing comments and statements made by Bing to them during the course of employment and on the premises of Walmart.

g. Upon information and belief, other employees had previously warned Walmart that Bing had threatened and berated co-workers.

h. Upon information and belief, Bing was reported to harass and belittle other employees and was known to be vindictive and vengeful toward other employees.

i. Upon information and belief from Bing's brother, Pervis Bing, Bing suffered from paranoid schizophrenia. Upon further information and belief, Bing was of the belief that he was being "watched" through the camera device on his cellular phone and placed tape over the camera to avoid being "watched". Discovery will reveal whether Walmart was aware of this diagnosis and retained Bing despite this bizarre paranoid behavior.

88. All of the foregoing information which is alleged to have been known by Walmart, or which should have been known by Walmart with the least bit of due diligence,

would have required Walmart to terminate Bing for the safety of others, including customers, co-workers and the public.

89. Taken cumulatively, over the extended period of time during which Walmart employed Bing, the foregoing rendered Bing's conduct on November 22, 2022, as a reasonably foreseeable eventuality.

90. Walmart's failure to terminate Bing constituted a breach of their duty, constituted negligence on the part of Walmart in retaining Bing, and such breach of duty proximately resulted in the wrongful death of Randy on November 22, 2022.

91. As a result of Walmart's negligent retention of Bing as an employee as above, Randy's statutory beneficiaries, pursuant to Section 8.01-52, suffered losses including but not limited to:

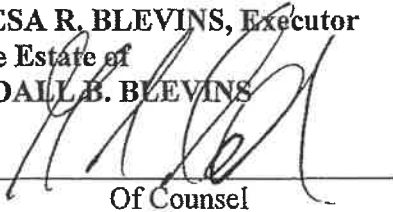
- a. Sorrow, mental anguish, and solace which may include society, companionship, comfort, guidance, kindly offices and advice of Randy, the decedent;
- b. Compensation for reasonably expected loss of (i) income of the decedent and (ii) services, protection, care and assistance provided by the decedent;
- c. Reasonable funeral expenses associated with Randy's burial.

WHEREFORE, the Plaintiff, Teresa R. Blevins, Executor of the Estate of Randall B. Blevins, hereby prays that this Court grant judgment in her favor and against Walmart, Inc. and Wal-Mart Stores East, L.P., in the sum of FIVE MILLION (\$5,000,000.00) DOLLARS as compensatory damages, together with prejudgment interest from November 22, 2022, Plaintiff's costs incurred and such other and further relief as the nature of the Plaintiff's cause may deem appropriate.

THE PLAINTIFF DEMANDS A TRIAL WITH A JURY.

**TERESA R. BLEVINS, Executor
Of the Estate of
RANDALL B. BLEVINS**

By


Of Counsel

Gregory L. Sandler, Esq.
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