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13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

16 BRAYDEN MEDINA MOLINA, a minor by
and through his Guardian ad Litem, FLAVIO
17 MEDINA GALLEGOS, and TERESA
MOLINA GALLEGOS,

18 Plaintiffs,

19 v.

20 TARGET CORPORATION, a corporation,
21 WATERMARK SECURITY GROUP, INC., a
corporation, BROOKFIELD PROPERTIES
22 (USA) LLC, a limited liability company, and
DOES 1 through 50, inclusive,

23 Defendants.
24

Case No. **23STCV06764**

COMPLAINT FOR DAMAGES:

- 1. **NEGLIGENCE**
- 2. **PREMISES LIABILITY**
- 3. **NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

DEMAND FOR JURY TRIAL

26 Plaintiffs BRAYDEN MOLINA MEDINA, a minor, by and through his Guardian ad
27 Litem, FLAVIO MEDINA GALLEGOS, and TERESA MOLINA GALLEGOS bring this lawsuit
28 for causes of action against Defendant TARGET CORPORATION, a corporation,

1 WATERMARK SECURITY GROUP, INC., a corporation, BROOKFIELD PROPERTIES (USA)
2 LLC, a limited liability company, and DOES 1 through 50, inclusive.

3 **GENERAL ALLEGATIONS**

4 1. As a L.A. City Councilmember recently and publicly declared, the streets of Los
5 Angeles “are the largest psychiatric ward in the United States.”¹ Downtown Los Angeles
6 (“DTLA”), in particular, has become overrun with homelessness and violence.² Indeed, it has
7 been reported that residents and workers in DTLA fear for their safety every single day.³ DTLA
8 businesses and employers who open their doors to the general public must therefore be vigilant, on
9 high alert and exercise extreme caution to keep their patrons and the public safe from foreseeable
10 acts of violence carried out by deranged and violent delinquents.

11 2. In the heart of DTLA is one of the area’s busiest and popular shopping destinations
12 called FIGat7th located at Figueroa and 7th Street. Its website states: “FIGat7th is DTLA’s one-
13 stop shopping, dining, and entertainment destination-home to fashion finds, a collection of unique
14 eateries, and a world-class arts and events program.” One of the largest shops at FIGat7th is retail
15 giant Target (“Subject Property”). And that is where this tragic and terrifying case took place.

16 3. Despite knowing that DTLA was seeing an uptick in crime and homelessness, as
17 evidenced, in part, by Target employing an armed security guard to keep the store safe, on the
18 evening of November 15, 2022, a deranged homeless man walked freely into the store, grabbed a
19 butcher knife with a 9-inch blade easily off a shelf and proceeded to brutally attack not just one
20 but two customers before he was belatedly shot and killed by the security guard.

21 4. Further, despite the homeless man repeatedly confronting his first victim, a 9-year-
22 old boy, and telling him that he was going to “stab and kill” him, as reported by LAPD Chief
23 Michael Moore, causing the boy to try to escape, neither the armed security guard nor anyone
24 working at the store came to the boy’s (or his mother’s) rescue before it was too late. Shockingly,
25 even after the homeless man brutally stabbed the boy, causing mass hysteria in the store with
26

27 ¹ <https://www.latimes.com/california/story/2023-03-08/stabbing-suspect-in-standoff-with-police-at-alhambra-home>

28 ² <https://products.xtown.la/neighborhood/downtown>

³ <https://www.latimes.com/homeless-housing/story/2022-04-29/assaults-at-union-station-strike-fear-in-janitors-and-retail-workers>

1 customers screaming in fear and running away from him, the man was still able to freely walk
 2 around the store wielding a large butcher knife before attacking his second victim, a young woman
 3 who was located in a completely different part of the store. Again, neither the armed security
 4 guard nor anyone working at the store came to her aid before she too was brutally stabbed.

5 5. Upon information and belief, following the subject incident, the knives at Target
 6 were locked behind a display case—a safety measure that should have already been in place
 7 before this tragedy occurred.

8 6. The young boy who was brutally attacked is Plaintiff Brayden Molina Medina. His
 9 mother, Plaintiff Teresa Molina Gallegos, was with him at the store and watched in horror as her
 10 son lay on the ground, covered in blood and unable to move from the multiple stab wounds.

11 **PARTIES**

12 7. At all times herein relevant, Plaintiffs BRAYDEN MOLINA MEDINA and
 13 TERESA MOLINA GALLEGOS were and are residents of Los Angeles County, California.

14 8. Plaintiff BRAYDEN MOLINA MEDINA, a minor, is represented through his
 15 father and Guardian ad Litem FLAVIO MEDINA GALLEGOS.

16 9. Plaintiffs are informed and believes that Defendant TARGET CORPORATION, at
 17 all times relevant herein, was a corporation incorporated in Minnesota, with several stores serving
 18 Los Angeles, California, and is authorized to do, has regularly done, and is doing business within
 19 Los Angeles County, California, and throughout the State of California, which managed,
 20 controlled, operated, and/or maintained Subject Property.

21 10. Plaintiff are informed and believe that Defendant WATERMARK SECURITY
 22 GROUP, INC, at all times relevant herein, was a corporation incorporated in California, which
 23 provided security services at Subject Property.

24 11. Plaintiffs are informed and believe that Defendant BROOKFIELD PROPERTIES
 25 (USA) LLC is a Delaware limited liability company and is authorized to do, has regularly done,
 26 and is doing business within Los Angeles County, California, and throughout the State of
 27 California, which managed, controlled, operated, and/or maintained Subject Property.

28 12. Plaintiffs are informed and believe, and thereon allege, that Defendants, including

1 DOES 1 through 50, inclusive, were agents, servants, employees, successors in interest, and/or
2 joint venturers of their co-defendants, and were, as such, acting within the course, scope, and
3 authority of said agency, employment and/or venture, and that each and every defendant, as
4 aforesaid, when acting as a principal, was negligent in the selection of each and every other
5 defendant as an agent, servant, employee, successor in interest, and/or joint venturer.

6 13. Plaintiffs are further informed and believe, and thereon allege, that Defendants and
7 DOES 1 through 50, inclusive, were acting in concert with each other by assisting, facilitating,
8 encouraging and otherwise condoning Defendants' negligent and reckless behavior and as such,
9 are equally liable for Defendants' negligent and reckless behavior.

10 14. The true names and capacities, whether individual, plural, corporate, partnership,
11 associate, or otherwise, of DOES 1 through 50, inclusive, are unknown to Plaintiff who therefore
12 sues said defendants by such fictitious names. The full extent of the facts linking such fictitiously
13 sued defendants is unknown to Plaintiff. Plaintiff is informed and believes, and thereupon alleges,
14 that each of the defendants designated herein as a DOE was, and is, negligent, or in some other
15 actionable manner, responsible for the events and happenings hereinafter referred to, and thereby
16 negligently, or in some other actionable manner, legally and proximately caused the hereinafter
17 described injuries and damages to Plaintiff. Plaintiff will hereafter seek leave of the Court to
18 amend this Complaint to show the defendants' true names and capacities after the same have been
19 ascertained.

20 **FIRST CAUSE OF ACTION**

21 **(Negligence Against All Defendants and DOES 1 through 50, Inclusive, by Plaintiff** 22 **BRAYDEN MOLINA MEDINA)**

23 15. Plaintiff re-alleges and incorporates herein by reference each and every allegation
24 and statement contained in the prior paragraphs.

25 16. Plaintiff is informed and believes, and thereupon alleges, that at all times
26 mentioned herein, Defendants TARGET CORPORATION, WATERMARK SECURITY
27 GROUP, INC., BROOKFIELD PROPERTIES and DOES 1 through 50, inclusive, owed a duty of
28 care to all reasonably foreseeable people, including Plaintiffs, to ensure the safety and protection

1 of persons who entered and patronized the Subject Property. Defendants TARGET
2 CORPORATION WATERMARK SECURITY GROUP, INC., BROOKFIELD PROPERTIES
3 and DOES 1 through 50, inclusive, also owed a duty to take reasonable steps to secure common
4 areas against the foreseeable criminal acts of third parties that would likely occur in the absence of
5 such precautionary measures. Plaintiffs are informed and believe, and thereupon allege, that at all
6 times mentioned herein, Defendants TARGET CORPORATION, WATERMARK SECURITY
7 GROUP, INC., BROOKFIELD PROPERTIES and DOES 1 through 50, inclusive, carelessly,
8 negligently, and recklessly owned, leased, managed, maintained, controlled, entrusted, serviced,
9 constructed, organized and operated the Subject Property. Specifically, Defendants breached their
10 duty of care when they carelessly and negligently (1) failed to adequately assess the risks, or to
11 assess the risks at all, of conditions, relating to the open and accessible knife display from which
12 the perpetrator took the knife, that posed a risk of injury or death to persons such as Plaintiffs (2)
13 failed to properly perform risk assessments to detect hazardous conditions and/or target areas to
14 prevent the risk of harm from hazardous conditions, including but not limited to, the open and
15 accessible knife display from which the perpetrator took the knife, to persons such as Plaintiffs,
16 (3) failed to adequately supervise the hazardous condition, which Defendants knew or should have
17 known to be a hazardous condition, (4) failed to provide personnel qualified and competent to
18 provide safety and security to persons such as Plaintiffs, especially given the prevalence of
19 homeless people in the area and (5) failed to properly train, hire, control, or supervise security
20 personnel meant to provide and ensure the safety and protection of persons like Plaintiffs.

21 17. Plaintiff is further informed and believes, and thereon alleges, that Defendants
22 knew, or through the exercise of reasonable care, should have known about the unreasonable risk
23 of harm, both from inadequate security and the knife display, given the high risk to safety posed
24 by the prevalent homeless population people in the area. This unreasonable risk of harm was such
25 a nature and existed long enough that Defendants had sufficient time to discover it and, using
26 reasonable care, take adequate precautions.

27 18. Plaintiff is further informed and believes, and thereon alleges, that said Defendants
28 acts and/or omissions and other wrongful conduct directly, legally, and proximately caused, and

1 were a substantial factor in causing the injuries and resulting damages to Plaintiffs.

2 19. As a direct and proximate result of the negligence of Defendants and DOES 1
 3 through 50, inclusive, Plaintiff Medina has been injured and hurt in his health, strength, and
 4 activity, sustaining serious injury to his body, and shock and injury to his nervous system and
 5 person, all of which said injuries have caused and continue to cause Plaintiff great physical and
 6 mental pain and suffering. Plaintiff is further informed and believe, and thereon alleges, that said
 7 injuries will result in some or all disability to his general damages in the amount which will be
 8 stated according to proof, pursuant to California Code of Civil Procedure Section 425.10.

9 20. As a legal, direct, and proximate result of the aforementioned conduct of
 10 Defendants and DOES 1 through 50, inclusive, Plaintiff will also sustain a loss of earning capacity
 11 and loss opportunity, as well as additional economic damages, according to proof, pursuant to
 12 California Code of Civil Procedure Section 425.10.

13 21. As a legal, direct, and proximate result of the aforementioned conduct of
 14 Defendants and DOES 1 through 50, inclusive, Plaintiff has been compelled to, did, and will
 15 continue to employ the services of hospitals, physicians, nurses and the like, to care for and treat
 16 his, and did incur hospital, medical, professional and incidental expenses, and Plaintiff is informed
 17 and believes, and thereon alleges, that by reason of his injuries, will necessarily incur additional
 18 like expenses for an indefinite period of time in the future, the exact amount of which expenses
 19 will be stated according to proof, pursuant to California Code of Civil Procedure Section 425.10.

20 **SECOND CAUSE OF ACTION**

21 **(Premises Liability Against All Defendants and DOES 1 through 50, Inclusive, by Plaintiff**
 22 **BRAYDEN MOLINA MEDINA)**

23 22. Plaintiff re-alleges and incorporates herein by reference each and every allegation
 24 and statement contained in the prior paragraphs.

25 23. Plaintiff is informed and believes, and thereupon alleges, that at all times
 26 mentioned herein, Defendants and DOES 1 through 50, inclusive, owned, leased, occupied and/or
 27 controlled the Subject Property at the time of the incident.

28 24. Plaintiff is informed and believes, and thereupon alleges, that at all times

1 mentioned herein, said Defendants created, owned, built, drafted, engineered, designed, inspected,
2 regulated, modified, directed, supervised, planned, contracted, constructed, managed, serviced,
3 repaired, maintained, used, occupied, and/or controlled the Subject Property.

4 25. At the time of the Subject Incident, various dangerous conditions, including
5 inadequate security and the open knife display, existed on, at, and around the Subject Property that
6 created a substantial and reasonably foreseeable risk of injury or death when such properties were
7 used with due care in a reasonably foreseeable manner. The risk was even more foreseeable due to
8 the prevalent and ubiquitous violence in the area, particularly from the homeless population that
9 loitered in and around the Subject Property.

10 26. Plaintiff is informed and believes, and thereupon alleges, that Defendants had
11 actual and/or constructive knowledge of the said dangerous and defective conditions for a
12 sufficient period of time prior to the Subject Incident to have taken measures to prevent such
13 incidents.

14 27. Plaintiff is informed and believes, and thereupon alleges, that said dangerous
15 conditions were a legal, direct, and proximate cause of the injury and damages suffered by
16 Plaintiff.

17 28. As a direct and proximate result of the negligence of Defendants and DOES 1
18 through 50, inclusive, Plaintiff Medina has been injured and hurt in his health, strength, and
19 activity, sustaining serious injury to his body, and shock and injury to his nervous system and
20 person, all of which said injuries have caused and continue to cause Plaintiff great physical and
21 mental pain and suffering. Plaintiff is further informed and believe, and thereon alleges, that said
22 injuries will result in some or all disability to his general damages in the amount which will be
23 stated according to proof, pursuant to California Code of Civil Procedure Section 425.10.

24 29. As a legal, direct, and proximate result of the aforementioned conduct of
25 Defendants and DOES 1 through 50, inclusive, Plaintiff will also sustain a loss of earning capacity
26 and loss opportunity, as well as additional economic damages, according to proof, pursuant to
27 California Code of Civil Procedure Section 425.10.

28 30. As a legal, direct, and proximate result of the aforementioned conduct of

1 Defendants and DOES 1 through 50, inclusive, Plaintiff has been compelled to, did, and will
2 continue to employ the services of hospitals, physicians, nurses and the like, to care for and treat
3 his, and did incur hospital, medical, professional and incidental expenses, and Plaintiff is informed
4 and believes, and thereon alleges, that by reason of his injuries, will necessarily incur additional
5 like expenses for an indefinite period of time in the future, the exact amount of which expenses
6 will be stated according to proof, pursuant to California Code of Civil Procedure Section 425.10.

7 **THIRD CAUSE OF ACTION**

8 **(Negligence Infliction of Emotional Distress Against All Defendants and DOES 1-50,**
9 **Inclusive, by Plaintiff TERESA MOLINA GALLEGOS)**

10 31. Plaintiffs re-allege and incorporate herein by reference each and every allegation
11 and statement contained in the prior paragraphs.

12 32. Plaintiff Brayden suffered grave and life-changing injuries when he was stabbed
13 multiple times at Target. His mother Teresa Molina Gallegos was present at the scene when her
14 son was stabbed and she saw him covered in his own blood on the ground and fighting for his life.

15 33. As a direct, legal, and proximate result of Defendants' negligence, Teresa Molina
16 Gallegos suffered, and continues to suffer, serious emotional distress, including but not limited to
17 mental anguish, fright, horror, nervousness, grief, anxiety, worry, and shock.

18 34. As a direct, legal, and proximate result of the vicious attack on Brayden, Plaintiff
19 Gallegos suffered serious emotional distress, including but not limited to mental anguish, fright,
20 horror, nervousness, grief, anxiety, worry, shock and humiliation.

21 **PRAYER FOR RELIEF**

22 WHEREFORE, Plaintiffs pray judgment against all Defendants and DOES 1 through 50,
23 inclusive, and each of them, as follows:

24 1. For general damages (also known as non-economic damages), including but not
25 limited to, past and future physical pain and mental suffering, loss of enjoyment of life,
26 disfigurement, physical impairment, inconvenience, grief, anxiety, humiliation, and emotional
27 distress, in an amount in excess of the jurisdictional minimum, according to proof;

28 2. For special damages (also known as economic damages), including but not limited

1 to, past and future hospital, medical, professional, and incidental expenses, as well as past and
2 future loss of earnings, loss of opportunity, and loss of earning capacity, in excess of the
3 jurisdictional minimum, according to proof;

4 3. As to Plaintiff Teresa Molina Gallegos, for serious emotional distress damages as a
5 result of seeing her son brutally attacked;

6 4. For prejudgment interest, according to proof;

7 5. For costs of suit incurred herein, according to proof;

8 6. For such other and further relief as the Court may deem just and proper.
9

10 DATED: March 27, 2023

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11
12 By: 
13 Robert S. Glassman
14 Attorneys for Plaintiff

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16 **DEMAND FOR TRIAL BY JURY**

17 Plaintiffs BRAYDEN MOLINA MEDINA, a minor, by and through his Guardian ad Litem,
18 FLAVIO MEDINA GALLEGOS, and TERESA MOLINA GALLEGOS, hereby demand a trial by
19 jury as to all causes of action.
20

21 DATED: March 27, 2023

PANISH | SHEA | BOYLE | RAVIPUDI LLP

22
23 By: 
24 Robert S. Glassman
25 Attorneys for Plaintiff
26
27
28