

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

Deborah A. Beneke, Trustee for
the Heirs and Next of Kin of
Jacob B. Beneke, deceased,

Case Type: Wrongful Death

Case No.: 27-CV-13-1268

Plaintiff,

vs.

**COMPLAINT
AND DEMAND FOR JURY TRIAL**

Accent Signage Systems, Inc. and
The Estate of Andrew J. Engeldinger, individually,

The Honorable Tanya M. Bransford

Defendants.

Plaintiff, Deborah A. Beneke, as Trustee for the Heirs and next of kin of Jacob Beneke, deceased, alleges the following in support of her Complaint against the Defendants:

PARTIES

1. That Deborah A. Beneke (hereinafter also "Plaintiff") is the Trustee for the Heirs and next of kin of Jacob B. Beneke (hereinafter also "Mr. Beneke" or "Decedent"), deceased. Decedent was, at all times relevant to the actions complained of herein, a resident of the County of Hennepin, State of Minnesota.
2. That Accent Signage Systems, Inc. (hereinafter also "Accent" or "Defendant"), during all relevant times, is a wholesale fabricator of interior signage and domestic business corporation with its principle place of business located at 2322 Chestnut Ave. W., City of Minneapolis, County of Hennepin, State of Minnesota.
3. That Andrew J. Engeldinger (hereinafter also "Engeldinger"), deceased, during all relevant times, was an employee of Accent. Further, during all relevant times, Engeldinger was a resident of County of Hennepin, State of Minnesota.

JURISDICTION

4. That the District Court has jurisdiction over this matter because the acts discussed below occurred in Hennepin County, Minnesota. Further, Accent is located and conducts significant business in Hennepin County, State of Minnesota and the Decedent and Engeldinger resided in Hennepin County, State of Minnesota.

FACTS

5. On or about May 3, 1999, Accent hired Engeldinger.
6. That Engeldinger was employed with Accent in the engraving department.
7. That Mr. Beneke was hired by Accent in approximately 2005 as an engraver.
8. That while employed at Accent, Mr. Beneke was eventually moved to the position of supervisor within Accent's Digital Imaging department.
9. That Engeldinger held personal animosity, wholly unrelated to employment, against Mr. Beneke.
10. That Mr. Beneke commonly referred to Engeldinger as his "nemesis."
11. That Engeldinger was commonly intoxicated at work and frequently drank alcohol while performing his job duties at Accent.
12. That Accent knew or should have known that Engeldinger was intoxicated and drank while performing his job duties.
13. On or about September 24, 2012, Reuven Rahamim (hereinafter also "Mr. Rahamim"), the founder and CEO of Accent, informed Mr. Beneke that Engeldinger was going to be terminated from employment with Accent on September 27, 2012. Mr. Rahamim told Mr. Beneke to keep this information a secret.

14. That on or about September 27, 2012, Mr. Beneke drove a different vehicle to work than he normally did. Mr. Beneke told his wife that "It's good I'll have the truck, because if he [Engeldinger] goes crazy, he won't recognize that I have a different car." This statement from Mr. Beneke was in regards to Mr. Beneke's fear of Engeldinger being terminated from Accent that day along with Engeldinger's known propensity for mental instability and violence.
15. That after informing Engeldinger of the meeting, Accent allowed Engeldinger to go to his vehicle.
16. That Accent knew or should have known that Engeldinger was an angry individual with a propensity for violence.
17. That Accent knew or should have known that Engeldinger was the owner of several firearms and routinely practiced shooting at a firing range.
18. That Accent knew or should have known that Engeldinger was disgruntled and antisocial.
19. That throughout his employment, Engeldinger was warned numerous times about being late for work, his poor work product, and his poor treatment of co-employees.
20. On or about October 24, 2006 Engeldinger was reported by two co-employees "for being rude and abusive." Engeldinger was officially warned for this behavior by Accent.
21. On or about November 3, 2006, Engeldinger told Mr. Rahamim, "everyone is abusive to me." Following this incident, Accent did not discover anyone being abusive to Engeldinger.
22. On or about January 26, 2007, Accent verbally warned Engeldinger for not following company procedure.

23. On or about July 5, 2007, multiple employees expressed their concerns about Engeldinger's offensive behavior, disparaging remarks, and the general difficulty involved while working with him.
24. On or about July 7, 2007, Engeldinger confronted his supervisor, John Souter, about his perception that he was singled out and disrespected for his communication problems with co-employees at a meeting. John Souter did not believe Engeldinger was being singled out.
25. On or about July 10, 2007, Accent met with Engeldinger and gave him a verbal warning regarding his "abrasive and short" communications with others. In this meeting, John Souter informed Engeldinger that Accent would not continue to allow his disrespectful behavior. Engeldinger was visually upset at this meeting. Accent continued to employ Engeldinger despite exhibiting continued abusive and short behaviors.
26. On or about November 29, 2007, Accent gave Engeldinger a verbal warning for his poor treatment of a co-employee.
27. On or about March 21, 2012, Accent warned Engeldinger for poor work product, disparaging remarks to co-employees, and disagreeing with an Accent manager's decision.
28. On or about March 16, 2012, Mr. Rahamim asked John Souter to have an employee place an "ad for experienced engraver with minimum of five years in the sign business." This request was in an effort to fill Engeldinger's position with Accent.
29. On or about September 22, 2012, Accent gave Engeldinger a letter regarding his possible employment termination, and informed Engeldinger that a meeting would be held on September 27, 2012.

30. That from September 22, 2012 through September 27, 2012 Accent did not provide any extra security even though it was aware of Engeldinger's propensity for mental illness and violence.
31. That during the morning of September 27, 2012, Accent reminded Engeldinger of the meeting scheduled for the end of the working hours.
32. That on September 27, 2012, at approximately 4:30 pm, Rami Cooks and John Souter told Engeldinger to meet them in Souter's office to discuss Engeldinger's employment.
33. That after normal working hours and prior to the scheduled meeting, Accent allowed Engeldinger to go to his vehicle.
34. That after normal working hours, but before the scheduled meeting, Engeldinger retrieved a firearm from his vehicle.
35. That Accent failed to install and monitor security cameras on its premises and therefore, was unaware that Engeldinger retrieved a firearm from his vehicle.
36. That, despite the requests of Accent employees, Mr. Rahamim declined to be present for the scheduled meeting with Engeldinger.
37. That Accent did not have a security officer, or any other security measures, in place for the scheduled meeting on September 27, 2012.
38. That at the scheduled meeting, John Souter and Rami Cooks informed Engeldinger that he was being terminated from employment with Accent.
39. That after being informed of his likely termination, Engeldinger grabbed the firearm he previously retrieved from his vehicle and shot Rami Cooks and John Souter. After exiting the office where the meeting was held, Engeldinger continued to shoot Mr. Beneke, Mr. Rahamim, Richard Edberg, Vincent Basinski, and others.

40. That Engeldinger caused multiple injuries to Mr. Beneke by shooting him; those injuries ultimately lead to the death of Mr. Beneke.
41. That a reasonable employer in Accent's position would have, among other things, provided adequate security on its premises, locked its doors, monitored Engeldinger, and would have attempted to terminate Engeldinger in a safe manner.
42. That Engeldinger ultimately killed a total of six individuals on September 27, 2012.
43. That Mr. Beneke was killed by Engeldinger as a result of personal animosity, wholly unrelated to employment at Accent.
44. That Engeldinger chose his victims on September 27, 2012 and intentionally walked by certain individuals without attacking them.
45. That Engeldinger's parents knew Engeldinger was mentally unstable.
46. That Accent never investigated whether Engeldinger had a diagnosis or history of mental illness.
47. That Accent knew, or should have known, Engeldinger had a propensity for violence.
48. That Accent knew, or should have known, Engeldinger had a history of mental illness.
49. That numerous Accent employees explained that, because of Engeldinger's employment history and behavior, they were not surprised that it was Engeldinger who shot multiple individuals, including Mr. Beneke, on September 27, 2012.
50. That Accent knew, or should have known, that Engeldinger had numerous mental health problems.
51. That Accent did not have security guards, security cameras, or security in general on its premises.

52. That Accent did not post signs, or any kind of notification, that notified individuals firearms were banned on its premises.
53. That Accent did not mandate that the doors on its building be locked or secured in any fashion.
54. That Accent attempted to terminate Engeldinger from employment on numerous occasions prior to September 27, 2012, but chose not to in fear of a lawsuit or other retaliation.
55. That Accent failed to exercise reasonable diligence and knew, or should have known, that Engeldinger could have caused the death of a person or persons.
56. That Accent acted in a careless, negligent, and grossly negligent fashion in its employment, retention, supervision, and termination of Engeldinger.
57. That Accent and Engeldinger caused severe emotional distress to Mr. Beneke and the Plaintiff.

COUNT I
DEFENDANT ACCENT AND ITS EMPLOYEES
GROSS NEGLIGENCE

Plaintiff, for her first cause of action against Accent and its employees alleges as follows:

Plaintiff incorporates all paragraphs of this complaint as if fully set forth under this count and further alleges that:

58. That Accent and its employees knew, or should have known, that Engeldinger was a danger to others. This knowledge is demonstrated through incidents including but not limited to, Accent's warnings to Engeldinger for his inappropriate treatment of others and refusal to follow Accent protocol.

59. That Accent and its employees knew, or should have known, that Engeldinger had a propensity for violence. This knowledge is demonstrated through incidents including but not limited to, Accent's warnings to Engeldinger for his inappropriate treatment of others and refusal to follow Accent protocol.
60. That Accent and its employees knew, or should have known, that Engeldinger suffered from severe mental illness. This knowledge is demonstrated through incidents including but not limited to, Accent's warnings to Engeldinger for his inappropriate treatment of others and refusal to follow Accent protocol.
61. That Accent and its employees, through the use of reasonable diligence, could have known and should have known that Engeldinger had a propensity for violence, was mentally unstable, was a danger to others, and could cause the death of a person or persons. By failing to act with such reasonable diligence, Accent acted in a careless, negligent, and grossly negligent manner.
62. That Accent and its employees knew, or should have known, of the inherent danger Engeldinger presented but allowed the dangerous and unsafe person at the subject premises.
63. That Accent and its employees, acted in a careless, negligent, and grossly negligent manner when it gave Engeldinger notice of potential termination approximately one week prior to actual termination.
64. That Accent and its employees, acted in a careless, negligent, and grossly negligent manner when it gave Engeldinger the opportunity to go to his vehicle before the scheduled meeting where he would be terminated.

65. That Accent and its employees, acted in a careless, negligent, and grossly negligent manner by failing to have a security guard present at the time and place Engeldinger was informed of his likely termination.
66. That Accent and its employees, acted in a careless, negligent, and grossly negligent manner by failing properly and adequately supervise, secure, and oversee its premises so as to prevent unsafe and dangerous conditions to exist or to warn of the same.
67. That Accent and its employees, acted in a careless, negligent, and grossly negligent manner by terminating Engeldinger's employment during a time when numerous other employees were present or could have been expected to be present.
68. On September 27, 2012, at approximately, 4:30 pm, as a result of personal animosity, Engeldinger did intentionally shoot Mr. Beneke with a handgun; this resulted in injuries and the death of Mr. Beneke.
69. That the above-mentioned shooting of Mr. Beneke by Engeldinger occurred after normal working hours, was motivated by personal reasons, and was not directed against Mr. Beneke as an employee or because of employment.
70. That Accent breached its duty by not exercising reasonable policy, precautionary measures, education, and training regarding Engeldinger.
71. That Accent knew, or should have known, that Engeldinger had a propensity to assault, mistreat, and otherwise abuse his co-employees.
72. That Engeldinger's intentional conduct of shooting Mr. Beneke was reasonably foreseeable because of Engeldinger's past incidents of misconduct and his known propensity for abuse and violence.

73. That Accent did not provide adequate supervision over the actions of Engeldinger even after receiving multiple complaints of mistreatment from employees.
74. That Accent did not take adequate precautions in protecting Mr. Beneke from Engeldinger and his actions.
75. That the above-mentioned injuries and resulting death of Mr. Beneke were caused by the gross negligence of Accent without any fault on the part of Mr. Beneke.
76. That Accent did not act like a reasonable employer in the circumstances surrounding, leading up to, and encompassing Engeldinger's actions on September 27, 2012.
77. As a direct and proximate result of the negligence, gross negligence, carelessness, and intentional conduct of Accent and Engeldinger, Mr. Beneke sustained injuries which caused his wrongful death; and as a further result the heirs and next of kin have incurred expenses for the last illness and funeral expenses of the decedent and have sustained pecuniary loss within the meaning of Minn. Stat. 573.02 and were otherwise damaged in a reasonable amount in excess of \$50,000.00.

COUNT II
DEFENDANT ACCENT AND ITS EMPLOYEES
ASSAULT/BATTERY

Plaintiff, for her second cause of action against Accent, and its employees, alleges as follows:

Plaintiff incorporates all paragraphs of this complaint as if fully set forth under this count and further alleges that:

78. That Engeldinger was a co-employee of Mr. Beneke at Accent.
79. On September 27, 2012, at approximately, 4:30 pm, Engeldinger did intentionally shoot Mr. Beneke with a firearm; this resulted in injuries and the death of Mr. Beneke.

80. The above-mentioned shooting of Mr. Beneke by Engeldinger occurred after normal working hours, was motivated by personal reasons, and was not directed against Mr. Beneke as an employee or because of employment.
81. That Engeldinger's action of shooting Mr. Beneke was intended to cause, and did in fact cause, apprehension, fear, mental harm, and physical harm to Mr. Beneke.
82. That the above-described acts of Engeldinger occurred after normal business hours but while Engeldinger was under the care and control of Accent and its employees.
83. As a direct and proximate result of the negligence, gross negligence, carelessness, and intentional conduct of Accent and Engeldinger, Mr. Beneke sustained injuries which caused his wrongful death; and as a further result the heirs and next of kin have incurred expenses for the last illness and funeral expenses of the decedent and have sustained pecuniary loss within the meaning of Minn. Stat. 573.02 and were otherwise damaged in a reasonable amount in excess of \$50,000.00.

COUNT III
DEFENDANT ACCENT AND ITS EMPLOYEES
GROSSLY NEGLIGENT SUPERVISION/RETENTION

Plaintiff, for her third cause of action against Accent and its employees, alleges as follows:

Plaintiff incorporates all paragraphs of this complaint as if fully set forth under this count and further alleges that:

84. That Accent failed to exercise reasonable policy, procedures, and precautionary measures, education, and training pertaining to the termination of employees, the supervision of employees, and the protection of employees.
85. That Accent breached its duty by not exercising reasonable policy, precautionary measures, education, and training regarding Engeldinger.

86. That Accent knew, or should have known, that Engeldinger had a propensity to assault, mistreat, and otherwise abuse his co-employees.
87. That Engeldinger's intentional conduct of shooting Mr. Beneke was reasonably foreseeable because of Engeldinger's past incidents of misconduct and his known propensity for abuse and violence.
88. That Accent did not provide adequate supervision over the actions of Engeldinger even after receiving multiple complaints of mistreatment from employees.
89. That Accent did not take adequate precautions in protecting Mr. Beneke from Engeldinger and his actions.
90. At all times relevant hereto, Engeldinger was an agent of Accent and under the direct supervision and control of Accent when he shot and killed Mr. Beneke. Engeldinger engaged in his actions while acting as an agent of Accent and accomplished his acts by virtue of his titled authority as an employee of Accent.
91. That Accent is liable for the wrongful acts of its employees under the law of vicarious liability.
92. As a direct and proximate result of Accent's retention of, and failure to, supervise Engeldinger, Mr. Beneke sustained injuries resulting in death.
93. As a direct and proximate result of Accent's failure to terminate Engeldinger, Mr. Beneke sustained injuries resulting in death.

94. As a direct and proximate result of the negligence, gross negligence, carelessness, and intentional conduct of Accent and Engeldinger, Mr. Beneke sustained injuries which caused his wrongful death; and as a further result the heirs and next of kin have incurred expenses for the last illness and funeral expenses of the decedent and have sustained pecuniary loss within the meaning of Minn. Stat. 573.02 and were otherwise damaged in a reasonable amount in excess of \$50,000.00.

COUNT IV
DEFENDANT ACCENT AND ITS EMPLOYEES
GROSSLY NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

Plaintiff, for her fourth cause of action against Accent and its employees, alleges as follows:

Plaintiff incorporates all paragraphs of this complaint as if fully set forth under this count and further alleges that:

95. That Accent and its employees knew, or should have known, that Engeldinger was a danger to others. This knowledge is demonstrated through incidents including but not limited to, Accent's warnings to Engeldinger for his inappropriate treatment of others and refusal to follow Accent protocol.
96. That Accent and its employees knew, or should have known, that Engeldinger had a propensity for violence. This knowledge is demonstrated through incidents including but not limited to, Accent's warnings to Engeldinger for his inappropriate treatment of others and refusal to follow Accent protocol.

97. That Accent and its employees knew, or should have known, that Engeldinger suffered from severe mental illness. This knowledge is demonstrated through incidents including but not limited to, Accent's warnings to Engeldinger for his inappropriate treatment of others and refusal to follow Accent protocol.
98. That Accent and its employees, through the use of reasonable diligence, could have known and should have known that Engeldinger had a propensity for violence, was mentally unstable, was a danger to others, and could cause the death of a person. By failing to act with such reasonable diligence, Accent acted in a careless, negligent, and grossly negligent manner.
99. That Accent and its employees knew, or should have known, of the inherent danger Engeldinger presented but allowed the dangerous and unsafe person at the subject premises.
100. That Accent and its employees, acted in a careless, negligent, and grossly negligent manner when it gave Engeldinger notice of potential termination approximately one week prior to actual termination.
101. That Accent and its employees, acted in a careless, negligent, and grossly negligent manner when it gave Engeldinger the opportunity to go to his vehicle before the scheduled meeting where he would be terminated.
102. That Accent and its employees, acted in a careless, negligent, and grossly negligent manner by failing to have a security guard present at the time and place Engeldinger was informed of his likely termination.

103. That Accent and its employees, acted in a careless, negligent, and grossly negligent manner by failing properly and adequately supervise, secure, and oversee its premises so as to prevent unsafe and dangerous conditions to exist or to warn of the same.
104. That Accent and its employees, acted in a careless, negligent, and grossly negligent manner by terminating Engeldinger's employment during a time when numerous other employees were present or could have been expected to be present.
105. On September 27, 2012, at approximately, 4:30 pm, as a result of personal animosity, Engeldinger did intentionally shoot Mr. Beneke with a handgun; this resulted in injuries and the death of Mr. Beneke.
106. That the above-mentioned shooting of Mr. Beneke by Engeldinger occurred after normal working hours, was motivated by personal reasons, was not directed against Mr. Beneke as an employee or because of employment.
107. That Accent breached its duty by not exercising reasonable policy, precautionary measures, education, and training regarding Engeldinger.
108. That Accent knew, or should have known, that Engeldinger had a propensity to assault, mistreat, and otherwise abuse his co-employees.
109. That Engeldinger's intentional conduct of shooting Mr. Beneke was reasonably foreseeable because of Engeldinger's past incidents of misconduct and his known propensity for abuse and violence.
110. That Accent did not provide adequate supervision over the actions of Engeldinger even after receiving multiple complaints of mistreatment from employees.
111. That Accent did not take adequate precautions in protecting Mr. Beneke from Engeldinger and his actions.

112. The above-mentioned injuries and resulting death of Mr. Beneke were caused by the gross negligence of Accent without any fault on the part of Mr. Beneke.
113. That Accent did not act like a reasonable employer in the circumstances surrounding, leading up to, and encompassing Engeldinger's actions on September 27, 2012.
114. The actions of Engeldinger were intentional and done in reckless disregard of the rights and safety of Mr. Beneke.
115. That Accent acted in reckless disregard of the rights and safety of Mr. Beneke.
116. The above-mentioned actions of Engeldinger were done willfully, maliciously, outrageously, deliberately, and purposely with the intention to inflict emotional distress upon Mr. Beneke and the Plaintiff and were done in reckless disregard of the probability of causing Mr. Beneke and the Plaintiff emotional distress.
117. That Engeldinger's conduct caused emotional distress to Mr. Beneke and the Plaintiff. This distress was so severe that no reasonable person could be expected to endure it.
118. That Accent is liable for the wrongful acts of its employees under the law of vicarious liability.
119. As a direct and proximate result of the negligence, gross negligence, carelessness, and intentional conduct of Accent and Engeldinger, Mr. Beneke sustained injuries which caused his wrongful death; and as a further result the heirs and next of kin have incurred expenses for the last illness and funeral expenses of the decedent and have sustained pecuniary loss within the meaning of Minn. Stat. 573.02 and were otherwise damaged in a reasonable amount in excess of \$50,000.00.

COUNT V
DEFENDANT ENGELDINGER, INDIVIDUALLY
ASSAULT/BATTERY

Plaintiff, for her fifth cause of action against Engeldinger, individually alleges as follows:

Plaintiff incorporates all paragraphs of this complaint as if fully set forth under this count and further alleges that:

120. That Engeldinger was a co-employee of Mr. Beneke at Accent.
121. On September 27, 2012, at approximately, 4:30 pm, Engeldinger did intentionally shoot Mr. Beneke with a firearm; this resulted in injuries and the death of Mr. Beneke.
122. The above-mentioned shooting of Mr. Beneke by Engeldinger occurred after normal working hours, was motivated by personal reasons, was not directed against Mr. Beneke as an employee or because of employment.
123. That Engeldinger's action of shooting Mr. Beneke was intended to cause, and did in fact cause, apprehension, fear, mental harm, and physical harm to Mr. Beneke.
124. That the above-described acts of Engeldinger occurred after normal business hours but while Engeldinger was under the care and control of Accent and its employees.
125. As a direct and proximate result of the negligence, gross negligence, carelessness, and intentional conduct of Accent and Engeldinger, Mr. Beneke sustained injuries which caused his wrongful death; and as a further result the heirs and next of kin have incurred expenses for the last illness and funeral expenses of the decedent and have sustained pecuniary loss within the meaning of Minn. Stat. 573.02 and were otherwise damaged in a reasonable amount in excess of \$50,000.00.

COUNT VI
DEFENDANT ENGELDINGER, INDIVIDUALLY
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

Plaintiff, for her sixth cause of action against Engeldinger, individually alleges as follows:

Plaintiff incorporates all paragraphs of this complaint as if fully set forth under this count and further alleges that:

126. That Engeldinger was a co-employee of Mr. Beneke at Accent.
127. On September 27, 2012, at approximately, 4:30 pm, Engeldinger did intentionally shoot Mr. Beneke with a firearm; this resulted in injuries and the death of Mr. Beneke.
128. The above-mentioned shooting of Mr. Beneke by Engeldinger occurred after normal working hours, was motivated by personal reasons, was not directed against Mr. Beneke as an employee or because of employment.
129. That Engeldinger's action of shooting Mr. Beneke was intended to cause, and did in fact cause, apprehension, fear, mental harm, and physical harm to Mr. Beneke.
130. That Engeldinger's conduct was so extreme and outrageous that it passed the boundaries of decency and is utterly intolerable to the civilized community.
131. That Engeldinger's conduct caused emotional distress to Mr. Beneke and the Plaintiff.
This distress was so severe that no reasonable person could be expected to endure it.
132. That Engeldinger's conduct caused Mr. Beneke severe emotional distress with attendant physical manifestations.
133. That on September 27, 2012, and during the time of Engeldinger's shooting on Accent property, Mr. Beneke was within the zone of danger of physical impact, and he reasonably feared for his own safety.

134. That the above-described acts of Engeldinger occurred after normal business hours but while Engeldinger was under the care and control of Accent and its employees.

135. As a direct and proximate result of the negligence, gross negligence, carelessness, and intentional conduct of Accent and Engeldinger, Mr. Beneke sustained injuries which caused his wrongful death; and as a further result the heirs and next of kin have incurred expenses for the last illness and funeral expenses of the decedent and have sustained pecuniary loss within the meaning of Minn. Stat. 573.02 and were otherwise damaged in a reasonable amount in excess of \$50,000.00.

WHEREFORE, Plaintiffs demand judgment against Defendants individually, jointly, and severally in an amount in excess of \$50,000.00 plus costs, disbursements, reasonable attorneys' fees, interest, and whatever other relief the Court deems just and equitable. Further, as a result, decedent, his heirs and next of kin, have suffered and will continue to suffer severe and permanent emotional distress, physical manifestations of emotional distress, loss of self-esteem, and other psychological injuries; was prevented and will continue to be prevented from performing their normal daily activities and obtaining the full enjoyment of life; will and have incurred expenses for medical and psychological treatment, funeral services, therapy, and counseling.

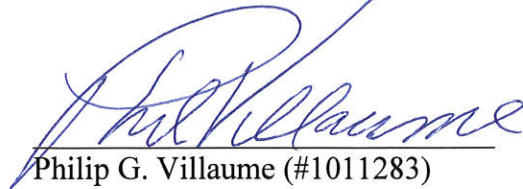
PLAINTIFF DEMANDS A JURY TRIAL ON ALL COUNTS SO TRIABLE.

PLAINTIFF RESERVES THE RIGHT TO AMEND HER COMPLAINT TO ALLEGE

PUNATIVE DAMAGES.

Dated: February 1, 2013

VILLAUME & SCHIEK, P.A.



Philip G. Villaume (#1011283)

Jeffrey D. Schiek (#0305455)

Attorney for Plaintiff

BLN Office Park

2051 Killebrew Drive, Suite 611

Bloomington, MN 55425

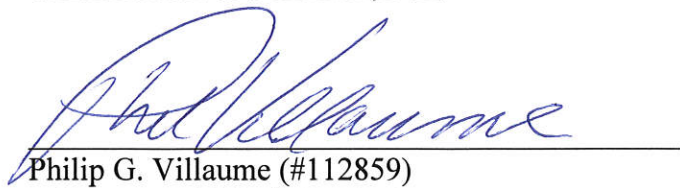
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ACKNOWLEDGMENT

IT IS HEREBY ACKNOWLEDGED that the allegations of this Complaint are well-grounded in fact and are warranted by existing law or good faith argument for its extensions modification reversal. Plaintiff brings this Complaint in good faith and not for any improper purposes. The Plaintiff, acknowledge that costs, disbursements and reasonable attorney and witness fees may be awarded to Defendant pursuant to Minn. Stat. § 549.211 and the Rules of Civil Procedure.

Dated: February 1, 2013

VILLAUME & SCHIEK, P.A.



Philip G. Villaume (#112859)

Jeffrey D. Schiek (#0305455)

Attorneys for Plaintiff

BLN Office Park

2051 Killebrew Drive, Suite 611

Bloomington, MN 55425

(952) 851-9500