

COMMONWEALTH OF MASSACHUSETTS
TRIAL COURT OF THE COMMONWEALTH
SUPERIOR COURT DEPARTMENT

Bristol, ss.

URSULA WARD as Special Personal)
Representative of the Estate of Odin Lloyd,)
Deceased,)

Plaintiff,)

v.)

AARON HERNANDEZ,)
Defendant,)

and)

NEW ENGLAND PATRIOTS, LLC; KRAFT)
PATRIOTS, LLC; KRAFT PATRIOTS, INC.;)
KRAFT ENTERPRISES, LLC and NPS, LLC,)
Reach and Apply Defendants)

C.A. No.: A13-1204
BRISTOL, SS SUPERIOR COURT
FILED

DEC 16 2013

MARC J. SANTOS, ESQ.
CLERK/MAGISTRATE

COMPLAINT AND DEMAND
FOR JURY TRIAL

INTRODUCTION

1. This is an action for wrongful death pursuant to G.L. c. 229 § 2. This Complaint further incorporates separate counts to reach and apply property rights, title or interest, legal or equitable, of the defendant Aaron Hernandez.

PARTIES

2. Plaintiff, Ursula Ward, is the duly-appointed Special Personal Representative of the Estate of Odin Lloyd, deceased. She is the mother of the deceased, and resides in Boston, Suffolk County, Massachusetts.
3. Defendant, Aaron Hernandez ("Hernandez"), formerly of 22 Ronald C. Meyer Drive, North Attleboro, Bristol County, Massachusetts is a natural person currently incarcerated as Inmate No. 174594 at the Bristol County House of Corrections, 400 Faunce Corner

Road, North Dartmouth, Bristol County, Massachusetts.

4. Reach and Apply Defendant, New England Patriots, LLC, upon information and belief, is a limited liability company duly organized and existing under the laws of the State of Delaware with a principal place of business located at One Patriot Place, Foxborough, Norfolk County, Massachusetts.
5. Reach and Apply Defendant, Kraft Patriots, LLC, upon information and belief, is a limited liability company duly organized and existing under the laws of the State of Delaware with a principal place of business located at One Patriot Place, Foxborough, Norfolk County, Massachusetts.
6. Reach and Apply Defendant, Kraft Patriots Inc., upon information and belief, is a corporation duly organized and existing under the laws of the State of Delaware with a principal place of business located at One Patriot Place, Foxborough, Norfolk County, Massachusetts.
7. Reach and Apply Defendant, Kraft Enterprises, LLC, upon information and belief, is a corporation duly organized and existing under the laws of the State of Delaware with a principal place of business located at One Patriot Place, Foxborough, Norfolk County, Massachusetts.
8. Reach and Apply Defendant, NPS, LLC, upon information and belief, is a limited liability company duly organized and existing under the laws of the State of Delaware with a principal place of business located at One Patriot Place, Foxborough, Norfolk County, Massachusetts.

FACTS

9. Upon information and belief, on or about June 17, 2013, in or around Attleboro, Bristol

County, Massachusetts, Hernandez, individually or jointly with others, did shoot Odin Lloyd, thereby causing injury that resulted in his death.

COUNT 1

Wrongful Death - Negligence

10. Plaintiff, Ursula Ward, as Special Personal Representative of the Estate of Odin Lloyd, repeats and realleges the allegations contained in Paragraphs 1, 2 and 9 of this Complaint as if fully realleged herein.
11. The next of kin of Odin Lloyd are entitled to the fair monetary value of the decedent, Odin Lloyd, including, but not limited to compensation for the loss of his reasonably expected net income, services, protection, care, assistance, society, companionship, comfort, guidance, counsel and advice, and are entitled to recover his reasonable medical, funeral, and burial expenses.

WHEREFORE, the Plaintiff, Ursula Ward, as Special Personal Representative of the Estate of Odin Lloyd, demands judgment against the Defendant, Aaron Hernandez, pursuant to G.L. c. 229 § 2, for:

- a) damages associated with the wrongful death of Odin Lloyd;
- b) any and all additional compensatory damages;
- c) costs, interest and attorneys fees; and
- d) other such relief as the Court deems just and proper.

COUNT 2

Wrongful Death - Intentional Tort

12. Plaintiff, Ursula Ward, as Special Personal Representative of the Estate of Odin Lloyd, repeats and realleges the allegations contained in Paragraphs 1, 2 and 9 of this Complaint as if fully realleged herein.

13. The next of kin of Odin Lloyd are entitled to the fair monetary value of the decedent, Odin Lloyd, including, but not limited to compensation for the loss of his reasonably expected net income, services, protection, care, assistance, society, companionship, comfort, guidance, counsel and advice, and are entitled to recover his reasonable medical, funeral, and burial expenses.

WHEREFORE, the Plaintiff, Ursula Ward, as Special Personal Representative of the Estate of Odin Lloyd, demands judgment against the Defendant, Aaron Hernandez, pursuant to G.L. c. 229 § 2, for:

- a) damages associated with the wrongful death of Odin Lloyd;
- b) any and all additional compensatory damages;
- c) costs, interest and attorneys fees; and
- d) other such relief as the Court deems just and proper.

COUNT 3

Conscious Pain & Suffering

14. Plaintiff, Ursula Ward, as Special Personal Representative of the Estate of Odin Lloyd, repeats and realleges the allegations contained in Paragraphs 1, 2 and 9 of this Complaint as if fully realleged herein.
15. The wrongful acts of Hernandez, as stated above, caused Odin Lloyd to endure substantial conscious pain and suffering prior to his death, for which his estate is entitled to be compensated pursuant to G.L. c. 229 § 6.

WHEREFORE, the Plaintiff, Ursula Ward, as Special Personal Representative of the Estate of Odin Lloyd, demands judgment against the Defendant, Aaron Hernandez, for:

- a) compensation for the conscious pain and suffering endured by Odin Lloyd; and
- b) other such relief as the Court deems just and proper.

COUNT 4

Punitive Damages

16. Plaintiff, Ursula Ward, as Special Personal Representative of the Estate of Odin Lloyd, repeats and realleges the allegations contained in Paragraphs 1, 2 and 9 of this Complaint as if fully realleged herein.

17. On or about June 17, 2013, Hernandez maliciously, wilfully, wantonly, recklessly or by gross negligence caused Odin Lloyd to suffer personal injuries that directly resulted in his death.

WHEREFORE, the Plaintiff, Ursula Ward, as Special Personal Representative of the Estate of Odin Lloyd, demands judgment against the Defendant, Aaron Hernandez, pursuant to G.L. c. 229 § 2, for:

- a) punitive damages in an amount not less than \$5,000.00; and
- b) costs, interest and attorneys fees.

COUNT 5

*Reach and Apply - Defendants New England Patriots, LLC; Kraft Patriots, LLC;
Kraft Patriots, Inc.; Kraft Enterprises, LLC and NPS,, LLC*

18. Plaintiff, Ursula Ward, as Special Personal Representative of the Estate of Odin Lloyd, repeats and realleges the allegations contained in Paragraphs 1 through 4 and Paragraph 9 of this Complaint as if fully realleged herein.

19. Upon information and belief, at all times herein mentioned, Hernandez was a professional football player under contract with, and/or an agent, servant or employee of, one or more of the Reach and Apply Defendants.

20. Upon information and belief, Hernandez has/had a right to payment of the sum of

\$82,000.00 from one or more of the Reach and Apply Defendants, and one or more of the Reach and Apply is/was otherwise obligated to pay said sum to Hernandez, which sum, upon information and belief, became due and payable in or about August 1, 2013. Upon information and belief, Hernandez has filed a grievance as a result of one or more of the Reach and Apply Defendant's failure and/or refusal to pay that amount to Hernandez.

21. Upon further information and belief, Hernandez has a right to payment of the sum of \$3,250,000.00 from one or more of the Reach and Apply Defendants, and one or more of the Reach and Apply Defendants is otherwise obligated to pay said sum which sum will become due and payable in, about or before March of 2014.
22. Pursuant to G.L. c. 214 § 3(6), creditors may reach and apply, in payment of a debt, any property right, title or interest, legal or equitable, of a debtor within or without the Commonwealth, which cannot be reached or attached or taken on execution although the property sought to be reached and applied is in possession or control of the debtor independently of any other person, or cannot be reached and applied until a future date, or is of an uncertain value, if the value is ascertained by sale, appraisal or by means within ordinary procedure of the Court.
23. Accordingly, any and all funds currently held by one or more of the Reach and Apply Defendants, or any or all such funds that may become due and owing to Hernandez, may be reached by the Plaintiff and applied to any judgment entering against Hernandez in this action.

WHEREFORE, the Plaintiff, Ursula Ward, as Special Personal Representative of the Estate of Odin Lloyd, demands that this Honorable Court :

- a) Temporarily restrain and prohibit all Reach and Apply Defendants from

distributing any and all funds that are now or may become due and owing to the Defendant, Aaron Hernandez;

- b) After hearing, permanently restrain and prohibit the Reach and Apply Defendants from distributing any and all funds that are now or may become due and owing to the Defendant, Aaron Hernandez;
- c) Order that all such monies be paid into Court; and
- d) Grant such other and further relief as this Court deems just and equitable.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury on all counts herein enumerated.

Respectfully submitted,
URSULA WARD, as Special Personal
Representative of the Estate of Odin Lloyd,
Deceased,
By her attorneys

Date: 12/16/2013