IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO

ESTATE OF MICHAEL CARNEVALE, DECEASED Through Estate Representative Kristi Hensley c/o Michael Hill Trial Law 815 Superior Avenue, Suite 623 Cleveland, Ohio 44114 Plaintiff, vs. EMPOWERING PEOPLE AKA EMPOWERING PEOPLE, INC. 723 Roosevelt Ave Cuyahoga Falls, OH 44221 Also Serve c/o Registered Agent: Michael K. Provenza 25000 Country Club Boulevard #255 North Olmsted, OH 44011 and EMPOWERING PEOPLE MANAGEMENT, INC. c/o Registered Agent: L & M Statutory Agent, LLC 30670 Bainbridge Rd Ste 201 Solon, OH 44139 and EMPOWERING PEOPLE WORKSHOP, INC. DBA CLW DBA CREATIVE LEARNING WORKSHOP c/o Registered Agent: Matthew J. Parker 2460 Elm Rd Ste 500 Warren, OH 44483 and	CASE NO. JUDGE **COMPLAINT** **WITH JURY DEMAND** **MOTION FOR EXTENSION OF TIME TO FILE AFFIDAVIT OF MERIT ATTACHED**

FOUNDATIONS HEALTH, AKA)
FOUNDATIONS HEALTH SOLUTIONS, LLC)
c/o Registered Agent:)
Ohio Agent Solutions, Inc.)
25000 Country Club Blvd., Suite 255)
North Olmsted OH 44070)
)
and)
)
BATH MANOR SPECIAL CARE CENTRE AKA)
BATH MANOR LIMITED PARTNERSHIP)
2330 Smith Road)
Akron, OH 44333)
)
Also Serve c/o Registered Agent:)
)
Summit County Alzheimer, Etc.)
3659 Green Rd Ste 320)
Beachwood, OH 44122)
)
and)
)
SABER HEALTHCARE GROUP AKA)
SABER HEALTHCARE GROUP, LLC)
c/o Registered Agent:)
Gregory Nicoluzakis)
23700 Commerce Park)
Beachwood, Ohio 44122,)
)
Defendants.)

Plaintiff, the Estate saof Michael Carnevale, Deceased, through Estate Representative Kristi Hensley, for this Complaint against the above-named Defendants, states and avers upon information and belief:

INTRODUCTION

1. This action involves multiple claims (negligence, medical negligence, recklessness, survival, wrongful death, violations of the Ohio Nursing Home Residents' Bill of Rights (R.C. 3721.13), violations of the Ohio Bill of Rights for persons with

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developmental disabilities (R.C. 5123.62), civil conspiracy, and fraud) involving the inadequate care Empowering People Defendants ("Empowering People") and the Bath Manor Defendants' ("Bath Manor") (collectively, "Defendants") provided to Michael Carnevale, and the corporate control of these Facilities leading to such inadequate care that led to Michael Carnevale's untimely and wrongful death on November 1, 2025.

2. Michael Carnevale was a developmentally disabled man who could not reliably report his own symptoms, depended on Defendants to give him the daily laxative his physicians prescribed to counteract the constipating effects of his other medications, to limit sedating and constipating drugs, to monitor his bowel function and abdomen, and to protect him from his known risk of aspiration. Defendants failed to do so. Michael developed a small bowel obstruction, vomited and aspirated fecal matter into his lungs, developed aspiration pneumonia, sepsis, and septic shock, and died of acute respiratory failure on November 1, 2025.

3. Michael Carnevale was a 60-year-old man with autism and significant special needs, including a chronic swallowing disorder that placed him at risk for aspiration and that required a strict, modified diet with all food blended to a specific consistency.

4. In July of 2025, Michael Carnevale was a resident of a home rented and operated by Empowering People, located at 723 Roosevelt Avenue, Cuyahoga Falls, Ohio.

5. Due to the combination of medications he was to take, Michael required a daily laxative to maintain regular bowel movements and prevent constipation.

6. In September 2025, Michael was admitted to Bath Manor Special Care Centre to rehabilitate and regain his ability to walk after suffering a fall on August 30, 2025.

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7. While a resident at Bath Manor, Michael was not administered his prescribed daily laxative, and instead received medications that only worsened his constipation.

8. Bath Manor treated the laxative as an as-needed (PRN) medication rather than the standing daily order under which it had been prescribed.

9. After about a month, Michael returned to Empowering People in October 2025.

10. In late October 2025, Michael began showing signs of infection. Additionally, his abdomen was noticeably distended.

11. Michael was transported to Summa Health Hospital in Akron, Ohio via emergency medical services, where he was hospitalized for roughly two weeks. Staff were suctioning fecal matter from both Michael's lungs and stomach.

12. On one particular night, Michael began vomiting and aspirating fecal matter into his lungs. This led to infection, and Michael ultimately died on November 1, 2025 at Summa Health Hospital.

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13. Michael Carnevale's death certificate states the cause-of-death chain in Part I as: (a) acute hypoxemic / hypercarbic respiratory failure, due to (b) aspiration pneumonia, due to (c) small bowel obstruction, each with an interval of 10/23/25–11/1/25.

	PART I. DISEASE, INJURIES, OR COMPLICATIONS THAT CAUSED THE DEATH		APPROXIMATE INTERVAL BETWEEN ONSET & DEATH
CAUSE OF DEATH	IMMEDIATE CAUSE (Final Disease/ Condition Resulting in Death)	a. ACUTE HYPOXEMIC/ HYPERCARBIC RESPIRATORY FAILRE	10/23/25-11/1/25
	UNDERLYING CAUSES (Sequentially Listed Conditions, Diseases, or Injuries, if any, that Initiated Events Resulting in Death)	b. DUE TO (Or As a Consequence Of) ASPIRATION PNEUMONIA	10/23/25-11/1/25
		c. DUE TO (Or As a Consequence Of) SMALL BOWEL OBSTRUCTION	10/23/25-11/1/25
		d. DUE TO (Or As a Consequence Of) --	--

PART II. OTHER SIGNIFICANT CONDITIONS (Contributing to Death But Not Resulting in Underlying Causes Given in Part I)	WAS AN AUTOPSY PERFORMED?	WERE AUTOPSY FINDINGS AVAILABLE TO COMPLETE CAUSE OF DEATH?
--	NO	--

DID TOBACCO USE CONTRIBUTE TO CAUSE OF DEATH?	PREGNANCY STATUS (If Female)	MANNER OF DEATH
UNKNOWN	--	NATURAL

INJURY DATE (Mo/Day/Yr)	INJURY TIME (24 hr)	PLACE OF INJURY	INJURY AT WORK?
--	--	--	--

LOCATION OF INJURY (Street and Number, City or Town, State, ZIP Code)
--

DESCRIPTION OF HOW INJURY OCCURRED	IF TRANSPORTATION INJURY, SPECIFIED MODE
--	--

Michael Carnevale's death certificate identifies the root cause of his death to be acute hypoxemic/hypercarbic respiratory failure due to aspiration pneumonia due to a small bowel obstruction.

14. Pursuant to R.C. 2305.21, Michael Carnevale's causes of action for his personal injuries survived his death and are brought by Plaintiff on behalf of his Estate.

15. At all times relevant, Michael Carnevale was of unsound mind at the time which the facts alleged in this Complaint occurred and at the time when the causes of action identified in this Complaint accrued pursuant to R.C. 2305.16, by virtue of his mental health diagnoses including severe autism, and thus the statute of limitation as to all causes of action identified in this Complaint were tolled until at least the date of his death on November 1, 2025.

16. Plaintiff requests a trial by jury.

17. Plaintiff's Motion for Extension of Time to File Affidavit of Merit is attached.

18. Plaintiff brings this action for compensation for the harms and losses sustained as the result of the negligence, recklessness, conscious disregard, reckless disregard, conduct by which—through heedless indifference to the consequences—the Defendants or their staff disregarded a substantial and unjustifiable risk that the health care provider's conduct is likely to cause, at the time those services or that treatment or care were rendered, an unreasonable risk of injury, death, or loss to person or property, or intentional misconduct or willful or wanton misconduct, and other wrongful conduct described herein or discovered during litigation.

DEFENDANTS: EMPOWERING PEOPLE

19. Empowering People aka Empowering People, Inc. is an Ohio corporation that holds itself out to the public as a provider of residential and intermediate care through its agents, operatives and / or employees and does business as Empowering People aka Empowering People, Inc.

20. Empowering People Management, Inc. is an Ohio corporation that holds itself out to the public as a provider of residential and intermediate care through its agents, operatives and / or employees and does business as Empowering People aka Empowering People, Inc.

21. Empowering People Workshop, Inc. dba CLW dba Creative Learning Workshop, is an Ohio corporation that holds itself out to the public as a provider of residential and intermediate care through its agents, operatives and / or employees and does business as Empowering People aka Empowering People, Inc.

22. Foundations Health AKA Foundations Health Solutions, LLC, is an Ohio corporation that holds itself out to the public as a provider of residential and intermediate

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care through its agents, operatives and / or employees and does business as Empowering People aka Empowering People, Inc.

23. The Defendants in paragraphs 19 through 22 employ, manage, and direct the care and service providers who were responsible for Michael Carnevale's care, treatment, and safety at Empowering People aka Empowering People, Inc. while he was a resident there, and / or are responsible for creating unsafe conditions at Empowering People aka Empowering People, Inc. through their control of Empowering People aka Empowering People, Inc.'s management that directly led to Michael Carnevale's injuries and untimely and wrongful death on November 1, 2025.

24. The Defendants in paragraphs 19 through 22 direct and control operations at Empowering People aka Empowering People, Inc. and are therefore directly liable for mismanagement of Empowering People aka Empowering People, Inc. without regard to piercing the corporate veil.

25. The Defendants in paragraphs 19 through 22 collectively own, manage, control, and/or are responsible for the care delivered to residents of Empowering People aka Empowering People, Inc. directly or through their domination and control of any putative entity license holder.

DEFENDANTS: BATH MANOR

26. Bath Manor Special Care Centre AKA Bath Manor Limited Partnership is an Ohio corporation that holds itself out to the public as a provider of medical and nursing care, including but not limited to, rehabilitation and skilled nursing care, through its agents, operatives and / or employees and does business as Bath Manor Special Care Centre AKA Bath Manor Limited Partnership.

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27. Saber Healthcare Group AKA Saber Healthcare Group, LLC is an Ohio corporation that holds itself out to the public as a provider of medical and nursing care, including but not limited to, rehabilitation and skilled nursing care, through its agents, operatives and / or employees and does business as Bath Manor Special Care Centre AKA Bath Manor Limited Partnership.

28. The Defendants in paragraphs 26 and 27 employ, manage, and direct the care and service providers who were responsible for Michael Carnevale's care, treatment, and safety at Bath Manor Special Care Centre AKA Bath Manor Limited Partnership while he was a resident there, and / or are responsible for creating unsafe conditions at Bath Manor Special Care Centre AKA Bath Manor Limited Partnership through their control of the Facility's management that directly led to Michael Carnevale's injuries and untimely and wrongful death on November 1, 2025.

29. The Defendants in paragraphs 26 and 27 direct and control operations at Bath Manor Special Care Centre AKA Bath Manor Limited Partnership, and are therefore directly liable for mismanagement of Bath Manor Special Care Centre AKA Bath Manor Limited Partnership without regard to piercing the corporate veil.

30. The Defendants in paragraphs 26 and 27 collectively own, manage, control, and/or are responsible for the care delivered to residents of Bath Manor Special Care Centre AKA Bath Manor Limited Partnership directly or through their domination and control of any putative entity license holder.

VICARIOUS LIABILITY

31. The Defendants employ the care providers who were responsible for ensuring Michael Carnevale's care and safety.

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32. The Defendants manage, control, and/or employ the staff at their respective Facilities.

33. Michael Carnevale and his family looked to the Defendants for care based upon their representations.

34. The Defendants are vicariously liable for the negligent actions of their employees and agents (respondeat superior and agency liability) and/or independent contractors (Clark v. Southview agency by estoppel), including visiting physicians, nurse practitioners, direct support providers, or any other care provider contracted with any of the Defendants and / or provided to residents as default or house care providers.

JURISDICTION AND VENUE

35. This Court has Jurisdiction over Defendant(s) because, among other things, all Defendant(s) do, and all times relevant did, purposefully avail themselves of the laws of the State of Ohio, and/or committed tortious acts within the State of Ohio.

36. Venue is proper in Summit County, Ohio under Civil Rule 3(B) because, among other reasons: (a) one or more Defendants reside, domicile, or carry on their principal place of business in that county; and (b) part of the claim for relief arose in that county.

COMMON FACTS

37. Empowering People holds itself out to the public as a provider of residential and intermediate care, including but not limited to, disability services and around the clock nursing services.

38. Bath Manor holds itself out to the public as a provider of medical and nursing care, including but not limited to, rehabilitation and skilled nursing care.

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39. The Bath Manor Defendants' for-profit model means their primary goal is to maximize profit, measured by revenues minus expenses.

40. For intermediate care facilities and nursing homes generally, the largest individual revenue source is residents (filling beds), and the largest individual expense is the cost of employing staff to provide care to those residents. This creates a financial incentive to take on more residents with greater care needs than staff can properly care for, a violation of federal nursing home regulations regarding staffing levels.

41. The Defendants manage, control, and / or employ the staff at Empowering People and Bath Manor.

42. The Defendants exercise actual control over Empowering People aka Empowering People, Inc. and Bath Manor Special Care Centre AKA Bath Manor Limited Partnership's management and operations to maximize profits, including control over facility-level:

a. Policies and procedures, including regarding resident care;

b. Finances, including obtaining credit and loans, guaranteeing loans (both at the corporate and individual facility level), maintaining funds and banking, obtaining, owning, and leasing facility land and buildings, and capital expenditures.

c. Budgeting, including controlling the amount of funds available for staffing facilities;

d. Personnel management, including hiring and firing, or having authority to hire and fire, the supervisory and management personnel in each facility;

e. Supervision of management, care providers, and staff in each facility, including compliance with federal and state regulations;

f. Employment, such as setting pay scales, shifts, and time and vacation policies;

g. Systems for training, monitoring, and supervising staff;

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h. Medical record systems and management;

i. Financial control systems, including budgeting and payment processing;

j. Marketing, including setting the image and expectations residents and their family should expect at the facility, and even the name of the facility;

k. Reporting procedures, including reporting to Medicare as to individual resident care and facility-wide issues.

43. As the result of this control, the Defendants make decisions that affect the day-to-day care of residents of Empowering People aka Empowering People, Inc. and Bath Manor Special Care Centre AKA Bath Manor Limited Partnership, such as the resources available for providing staff and care to residents like Michael Carnevale, meaning they are responsible for the foreseeable harm that results from careless decisions while voluntarily exercising that control.

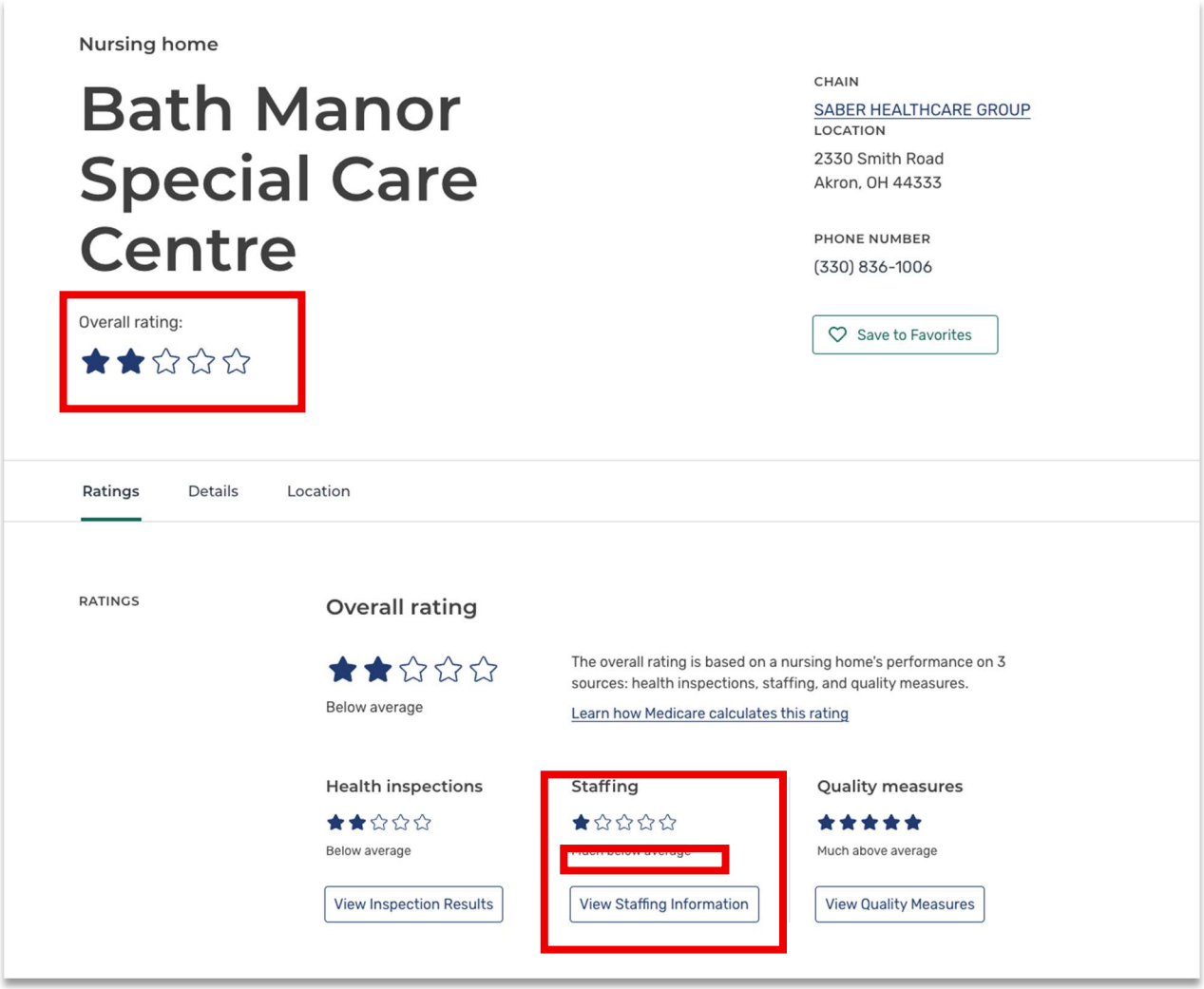
44. Defendants failed to ensure, through their operational, budgetary, consultation and managerial decisions and actions, that Empowering People aka Empowering People, Inc. and Bath Manor Special Care Centre AKA Bath Manor Limited Partnership were sufficiently staffed to meet the individual needs of its residents, including Michael Carnevale.

45. Defendants engaged in a systemic practice to understaff the facilities to maximize profits at the expense of its residents' care.

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46. Bath Manor's systemic understaffing of Bath Manor Special Care Centre AKA Bath Manor Limited Partnership resulted in a "1-star" ("much below average") ranking for Staffing on the Medicare.gov Nursing Home Compare website and "2-star" ("below average") overall ranking.



Bath Manor's systemic understaffing resulted in a "1-star" ("below average") ranking for Staffing on the Medicare.gov Nursing Home Compare website and "2-star" ("below average") overall ranking.

47. This lack of sufficient staff at both Empowering People aka Empowering People, Inc. and Bath Manor Special Care Centre AKA Bath Manor Limited Partnership directly resulted in Michael Carnevale not receiving basic and necessary services to prevent, among other things, neglect leading to his injuries and death.

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48. Empowering People also exercises operational and managerial control, and apply this profits-over-safety model, at the following facilities in the State of Ohio:

a. Manor Home
PO Box 110 (246 N. Broadway), Geneva, OH 44041

b. Vienna Meadows
125 E. National Road, South Vienna, OH 45369

c. Consumer Choice Inc.
840 N. Market Street, Lisbon, OH 44432

d. Sunrise Homes
38655 Saltwell Road, Lisbon, OH 44432

e. Alliance Group Homes
Building #1 2720 Beechwood Avenue NE, Alliance, OH 44601

Building #2 2718 Beechwood Avenue NE, Alliance, OH 44601

Building #3 2716 Beechwood Avenue NE, Alliance, OH 44601

Building #4 2714 Beechwood Avenue NE, Alliance, OH 44601

f. Carnegie
3927 Carnegie Avenue NW, Massillon, OH 44646

g. Deborah
1121 Deborah Street NW, Canton, OH 44720

h. Strausser Home
10405 Strausser Street NW, Canal Fulton, OH 44614

i. Sturbridge Home
14421 Sturbridge Road NE, Alliance, OH 44601

j. Dunbar - EPI Summit
780 Dunbar Road, Tallmadge, OH 44278

k. Ellsworth - EPI Summit
4223 Ellsworth Road, Stow, OH 44224

l. Frank - EPI Summit
427 Frank Avenue, Barberton, OH 44203

m. Lakeview - EPI Summit

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1455 Lakeview Boulevard, Stow, OH 44224

n. North Thomas - EPI Summit
105 North Thomas, Tallmadge, OH 44278

o. Pontius - EPI Summit
3415 Pontius Road, Uniontown, OH 44685

p. Ritchie - EPI Summit
1758 Ritchie Road, Stow, OH 44224

q. Springfield - EPI Summit
3568 E. Waterloo Road, Springfield, OH 44312

r. Winchester - EPI Summit
495 Winchester Road, Fairlawn, OH 44333

s. Empowering People Inc.
1268 N River Road NE, Warren, OH 44483

49. Bath Manor also exercises operational and managerial control, and apply this profits-over-safety model, at the following facilities in the State of Ohio:

a. Arch Health & Rehab Center
5700 Karl Rd, Columbus, OH 43229

b. Astoria Skilled Nursing and Rehabilitation
3537 12th St NW, Canton, OH 44708

c. Aurora Manner Special Care Centre
101 S Bissell Rd, Aurora, OH 44202

d. Avalon Health & Rehab Center
13 Avalon Rd, Mt Vernon, OH 43050

e. Bath Creek Estates
186 W Bath Rd, Cuyahoga Falls, OH 44223

f. Bath Manor Special Care Centre
2330 Smith Rd, Akron, OH 44333

g. Bayside Health & Rehab Center
204 W Main St, New London, OH 44851

h. Bellevue Care Center
1 Audrich Square, Bellevue, OH 44811

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i. Carillon Health & Rehab
320 Albany St, Dayton, OH 45417

j. Centerburg Pointe
4531 Columbus Rd, Centerburg, OH 43011

k. Colossal Health & Rehab Center, LLC
3025 Science Park Dr, Beachwood, OH 44122

l. Cortland Healthcare Center
369 N High St, Cortland, OH 44410

m. Diplomat Healthcare
9001 W 130th St, North Royalton, OH 44133

n. Eagle Creek Nursing Center
141 Spruce Ln, West Union, OH 45693

o. Elmwood Health & Rehab Center
115 Elmwood Circle, West Carrollton, OH 45449

p. Grand Rapids Care Center
24201 W 3rd St, Grand Rapids, OH 43522

q. Grand River Health and Rehab Center
1515 Brookstone Blvd, Painesville, OH 44077

r. Heath Health & Rehab Center
717 S 30th St, heath, OH 43056

s. Highland Pointe Health & Rehabilitation Center
402 Golf View Ln, Highland Heights, OH 44143

t. Homestead II
60 Wood St, Painesville, OH 44077

u. Indian Lake Rehabilitation Center
14442 US-33 #1435, Lakeview, OH 43331

v. London Health & Rehab Center
218 Elm St, London, OH 43140

w. Massillon Health & Rehab Center
2000 Sherman Cir NE, Massillon, OH 44646

x. Middletown Health & Rehab Center

751 Kensington St, Middletown, OH 45044

y. Millview Health & Rehab Center
934 OH-28, Milford, OH 45150

z. North Health & Rehab Center
6830 North High Street, Worthington, OH 43085

aa. Norton Health & Rehab Center
8151 Norton Pkwy, Mentor, OH 44060

bb. Oaks of Brecksville
8757 Brecksville Rd, Brecksville, OH 44141

cc. Pavillion Health & Rehab Center
694 Isaac Prugh Way, Kettering, OH, 45429

dd. Seven Hills Health & Rehab Center
819 Rockside Rd, Seven Hills, OH 44131

ee. Sovran Health & Rehab Center
5151 North Hamilton Rd, Columbus, OH 43230

ff. Steel Health & Rehab Center
1701 Jefferson Ave, Defiance, OH 43512

gg. Steuben Health & Rehab Center
500 Stanton Blvd, Steubenville, OH 43952

hh. Tallmadge Health & Rehab
619 Northwest Ave, Tallmadge, OH 44278

ii. Urbana Health & Rehab Center
741 E Water St, Urbana, OH 43078

jj. Wadsworth Pointe
540 Great Oaks Trail, Wadsworth, OH 44281

kk. Wayne Health & Rehab Center
5440 Charlesgate Rd, Huber Heights, OH 45424

ll. Willows Health & Rehab Center
1500 E 191st St, Euclid, OH 44117

mm. Wilmington Nursing & Rehabilitation Center
75 Hale St, Wilmington, OH 45177

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nn. Woodlands Health and Rehabilitation Center
6831 N Chestnut St, Ravenna, OH 44266

Reporting Data – Bath Manor

50. Bath Manor is required to report significant amounts of data to the federal agency that oversees operations of nursing homes receiving federal or state funding, the Centers for Medicare and Medicaid Services, or "Medicare."

51. The data the Bath Manor submits to Medicare regarding its facility includes data on its residents (numbers, care needs, and bed days), its finances, and its nurse and nursing aide staffing levels as compared to resident care needs.

52. This data is certified correct by Bath Manor and / or submitted under penalty of perjury and / or civil or criminal penalties.

53. Medicare uses some of this data submitted by Defendants to produce its nursing home 5-star rating system, also known as "Nursing Home Compare."

Nursing Home Resident Care Needs and Staffing Levels (MDS and PDPM Scores) – Bath Manor

54. Every nursing home receiving Medicare or Medicaid funding—the clear majority of nursing homes, including Bath Manor and others operated and / or controlled by Defendants—is required to provide detailed information regarding the health status, care and treatment, and services provided to each resident in the facility using a questionnaire called the Minimum Data Set, or MDS. This evaluation is done for all nursing home residents regardless of whether their care is being paid for by Medicare.

55. Nursing homes like Bath Manor are required to evaluate every resident using the Minimum Data Set questionnaire shortly after the time of admission, every 90 days thereafter, when a resident has a significant improvement or decline in health (physical, mental, or psychosocial), and upon discharge.

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56. Based on this Minimum Data Set, each resident's individual care needs (called "acuity level") are assigned into a group signifying how much nursing or staff care the resident requires, called a Patient-Driven Payment Model score, or PDPM score. The PDPM score is calculated for physical therapy, occupational therapy, speech-language pathology, non-therapy ancillary services, and nursing services.

57. Each resident's PDPM score for nursing services is contained in the patient's Minimum Data Set evaluations, meaning the total nursing care needs of the residents in any facility at a specific time is available by totaling the residents' PDPM scores from various sections of the Minimum Data Set evaluations corresponding to increased needs for nursing care.

58. When these PDPM scores are combined for all residents in a nursing home facility, the nursing home knows exactly how many minutes of nursing and nursing aide care should be provided, on average, to meet the expected care needs of their residents.

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Misleading Advertising

59. In an effort to persuade the families of patients to become customers, Defendants make promises to the families of such potential residents that they will provide a level of care that they know they are incapable of providing.

Empowering People : Making a Difference

Our mission is to empower and support people with disabilities with a supporting vision to create a community where the person is visible and the disability is not. We believe that every person should make decisions that directly affect their lives. With the application of sound principles such as compassion, equality, integrity and self-determination, we provide a supportive living environment for those we serve as well as providing a welcoming work environment where each employee finds success and fulfillment.

Empowering People advertises as an organization that provides compassionate care and a supportive living environment.

Intermediate Care Facilities (ICFs)

Our ICFs offer person-centered services and 24/7 nursing support in a home that honors what is important to and what is important for those we serve. Each of our ICFs offers a range of services, including:



- Assistance gaining life skills in areas such as hygiene, cooking, cleaning, and budgeting
- Health and Wellness Management by Licensed Nurses who are dedicated to compassionate and person-centered care
- Qualified Intellectual Disability Professionals (QIDP) that "Empower and Support" each Individual through coordination of services to meet person-centered goals and outcomes
- Social and Emotional Support to assist in positive outcomes for challenging behaviors
- We believe in full participation in community life through relationships and involvement in the communities in which we live
- Provide respite services for individuals

Empowering People also advertises its Intermediate Care Facilities, such as the one Michael Carnevale was a resident of, as providers of "24/7 nursing support" and health managed by licensed nurses who provide compassionate and person-centered care.

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60. The intent and outcome of this misleading practice is to cause residents, their families, and external care providers to believe the facility is much better staffed to provide the promised care than what is actually the practice of the Defendants with regard to staffing the Facility.

61. The intent and outcome of this misleading practice is to drastically limit the budget and overhead needed to run a safe facility in order to maximize profits and syphon resources at the expense of patient safety.

Systemic Understaffing and Michael Carnevale's Care

62. Defendants failed to ensure, through their operational, budgetary, consultation and managerial decisions and actions, that their respective Facilities were sufficiently staffed, and the staff appropriately trained and informed, to meet the individual needs of Michael Carnevale during the period he was a resident at each facility.

63. Defendants engaged in a systemic practice to understaff the Facilities to maximize profits at the expense of its residents' care.

64. This lack of sufficient staff directly resulted in Michael Carnevale not receiving basic and necessary services, assessments, and interventions to prevent, among other things, neglect leading to his injuries at the Facilities during the period he was a resident at the Facilities.

The Group Home and Ohio's Protections for Persons with Developmental Disabilities

65. As a provider of residential services to persons with developmental disabilities, the Empowering People Defendants were subject to R.C. Chapter 5123, including the Bill of Rights for persons with developmental disabilities, R.C. 5123.62; the requirements of R.C. 5123.61 and Ohio Adm.Code 5123-17-02 to identify, report, and investigate abuse, neglect, and major unusual incidents ("MUIs"); and the residential facility licensing standards of R.C. 5123.19 and the rules adopted thereunder.

66. R.C. 5123.64(B)(3) authorizes a person with a developmental disability to take any appropriate action to ensure compliance with R.C. 5123.61 to 5123.64, including the filing of a legal action to enforce rights or to recover damages for violation of rights.

67. Neglect, including the failure to provide the care necessary to maintain an individual's health and welfare, and certain deaths of individuals receiving services are

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reportable MUIs under Ohio Adm.Code 5123-17-02. Empowering People failed to identify, report, and investigate the neglect of Michael Carnevale and his death as required.

Defendants' Negligence and Recklessness with Michael Carnevale

68. Michael's physicians prescribed a daily laxative as a standing order to counteract the constipating effects of his other medications and to prevent constipation and fecal impaction.

69. When each of the Defendants accepted Michael into its care, they knew that he was developmentally disabled; that he had a chronic swallowing disorder that placed him at high risk of aspiration and required a modified diet blended to a specific consistency; that he depended on staff for feeding, mobility, toileting, and the administration of his medications, including his daily laxative; and that he could not reliably report pain or other symptoms or advocate for himself.

70. Because Michael could not reliably report his symptoms, the standard of care required heightened monitoring of his bowel function, abdominal status, and signs of aspiration, infection, and other changes in his condition.

71. Defendants agreed to accept Michael Carnevale into their respective Facilities and provide care to him in exchange for monetary payment.

72. Upon Michael's admission to Bath Manor, the Bath Manor Defendants failed to properly reconcile his medications, converted his standing daily laxative order into an as-needed (PRN) medication or otherwise treated it as one, and as a result withheld the laxative from him.

73. Bath Manor staff instead administered medications that worsened Michael's constipation.

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74. Bath Manor Defendants failed to track Michael's bowel movements, failed to monitor his abdominal status, and failed to recognize or respond to signs of constipation and fecal impaction.

75. Defendants failed to consistently maintain the diet-consistency, positioning, and other aspiration precautions that Michael required; failed to ensure that his standing daily laxative order was administered; failed to monitor his bowel function and abdominal status; and failed to timely recognize and escalate the signs of obstruction and infection—including a visibly distended abdomen—in the days before his final hospitalization

76. As a direct and proximate result of Defendants' conduct, Michael developed fecal impaction and a small bowel obstruction. The obstruction caused him to vomit and aspirate fecal matter into his lungs, resulting in aspiration pneumonia, an infection, and acute hypoxemic / hypercarbic respiratory failure, from which he died on November 1, 2025.

77. Michael Carnevale endured mental and physical pain, suffering, fear, and indignity, and death as a direct and proximate result of Defendants' failure to provide adequate care, including as a result of understaffing the Facilities.

FIRST CAUSE OF ACTION
(NEGLIGENCE / RECKLESSNESS)

78. Plaintiff incorporates all other paragraphs of this Complaint as if fully rewritten herein.

79. Michael Carnevale depended on Empowering People, and their respective staff, for residential care.

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80. Empowering People had a duty to provide proper care to Michael Carnevale and to avoid causing his injury.

81. Empowering People, including their staff, failed to provide proper care to Michael Carnevale, which they knew or should have known he required, and their negligence was the direct and proximate cause of the injuries that Michael Carnevale suffered.

82. Empowering People's failure to provide proper care included, but is not limited to:

a. Choosing to put inadequate prevention and response interventions in place to prevent injuries;

b. Choosing to provide inadequate resident observation, supervision, and monitoring;

c. Choosing to provide improper training to staff members regarding resident monitoring, assessment, response, and treatment;

d. Choosing to provide too few, and / or underqualified staff members for resident needs at each facility to protect and provide adequate care to residents like Michael Carnevale;

e. Choosing to not provide accurate, adequate, or timely information to Michael Carnevale's family;

f. Choosing to violate orders relating to care of Michael Carnevale;

g. Choosing to violate state and federal regulations governing care and staffing levels in facilities by which residents like Michael Carnevale are a member of the class of persons intended to be protected from injuries like those she suffered;

h. Failing to ensure the rights and safety of its residents, including Michael Carnevale, as required by Ohio and federal regulations;

i. Choosing not to provide appropriate care to Michael Carnevale while he was a resident/attendee; and

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j. Such other acts or omissions described in this Complaint or discovered in litigation.

83. Empowering People, directly or through their employees or agents, violated Michael Carnevale's rights as a resident of Empowering People's facilities, as enumerated in Ohio Revised Code §5123.62, including, but not limited to:

a. The right to be treated at all times with courtesy and respect, and with full recognition of their dignity and individuality;

b. The right to an appropriate, safe, and sanitary living environment that complies with local, state, and federal standards and recognizes the persons' need for privacy and independence

c. The right of timely access to appropriate medical treatment;

d. The right to be free from emotional, psychological, and physical abuse;

e. The right to participate in decisions that affect their lives;

f. The right to voice grievances and recommend changes in policies and services without restraint, interference, coercion, discrimination, or reprisal; and

g. Such other acts or omissions described in this Complaint or discovered in litigation.

84. These actions constituted a conscious disregard for Michael Carnevale's rights and safety with a great probability of causing substantial harm from this misconduct, by which—through heedless indifference to the consequences—Empowering People or their staff disregarded a substantial and unjustifiable risk that the health care provider's conduct was likely to cause, at the time those services or care were rendered, constituting an unreasonable risk of injury, death, or loss to person or property, or intentional misconduct or willful or wanton misconduct. Empowering People were aware of the great probability of harm that could result from their willful, wanton, and/or reckless misconduct.

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85. Empowering People's disregard for the rights and safety of residents like Michael Carnevale created circumstances under which it became substantially certain that serious injuries would result, entitling Plaintiff to awards for compensatory and punitive damages.

86. Empowering People are directly liable for their own willful, wanton, and/or reckless misconduct.

87. Empowering People are also vicariously liable for their employees' and agents' willful, wanton, and/or reckless misconduct.

88. Empowering People and their staff provided care to Michael Carnevale that fell below the duty of reasonable care owed by residential care facilities to their residents, under the same or similar circumstances.

89. The departures from the standard of care are evidenced by violations of sections of Ohio Revised Code §5123.62.

90. As a direct and proximate result of the negligent and/or willful, wanton and/or reckless actions of the Defendants described above, Michael Carnevale sustained permanent injury and loss including, but not limited to, conscious pain and suffering, and permanent bodily disfigurement.

91. WHEREFORE, Plaintiff demands judgment against Empowering People, in an amount more than Twenty-Five Thousand Dollars ($25,000.00), for conscious pain and suffering, permanent bodily disfigurement, loss of enjoyment, together with costs of suit, attorney's fees and expenses, punitive and exemplary damages, and any other relief to which the Plaintiff may be entitled to and/or that the court finds is appropriate and/or equitable.

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SECOND CAUSE OF ACTION
(MEDICAL NEGLIGENCE / RECKLESSNESS)

92. Plaintiff incorporates all other paragraphs of this Complaint as if fully rewritten herein.

93. Michael Carnevale depended on the Defendants, and their respective nursing and medical staff, for medical and nursing care, treatment, evaluation, and assistance.

94. The Defendants had a duty to provide proper care and treatment to Michael Carnevale and to avoid causing injury to Michael Carnevale.

95. The Defendants, including their medical and nursing staff, failed to provide proper care and treatment to Michael Carnevale, which they knew or should have known they required, and their negligence was the direct and proximate cause of the injuries that Michael Carnevale suffered.

96. The Defendants' failure to provide proper care and treatment included, but is not limited to:

a. choosing to put inadequate prevention and response interventions in place to prevent injuries;

b. choosing to provide inadequate resident observation, supervision, and monitoring;

c. choosing to provide improper training to staff members regarding resident monitoring, assessment, response, and treatment;

d. choosing to provide too few, and / or underqualified nursing staff members for resident needs at each facility to protect and provide adequate care to residents like Michael Carnevale;

e. choosing to not provide accurate, adequate, or timely information to Michael Carnevale's family;

f. choosing to provide inadequate supervision to prevent accidents and falls;

g. choosing to violate orders relating to care of Michael Carnevale;

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h. choosing to violate state and federal regulations governing care and staffing levels in nursing home facilities by which residents like Michael Carnevale are a member of the class of persons intended to be protected from injuries like those they suffered;

i. failing to ensure the rights and safety of its residents, including Michael Carnevale, as required by Ohio and federal regulations;

j. choosing not to provide appropriate care to Michael Carnevale while they were a resident of the Facility; and

k. such other acts or omissions described in this Complaint or discovered in litigation.

97. These actions constituted a conscious disregard for Michael Carnevale's rights and safety with a great probability of causing substantial harm from this misconduct, by which – through heedless indifference to the consequences – the Defendants or their staff disregarded a substantial and unjustifiable risk that the health care provider's conduct was likely to cause, at the time those services or that treatment or care were rendered, constituting an unreasonable risk of injury, death, or loss to person or property, or intentional misconduct or willful or wanton misconduct. The Defendants were aware of the great probability of the harm that could result from their willful, wanton, and/or reckless misconduct.

98. The Defendants' disregard for the rights and safety of residents like Michael Carnevale created circumstances under which it became substantially certain that serious injuries would result, entitling Plaintiff to awards for compensatory and punitive damages.

99. The Defendants are directly liable for their own willful, wanton, and/or reckless misconduct.

100. The Defendants are also vicariously liable for their employees' and agents' willful, wanton, and/or reckless misconduct.

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101. The Defendants and their medical and nursing staff provided care to Michael Carnevale that fell below the standard of care expected of medical care and nursing home organizations, under the same or similar circumstances.

102. The departures from the standard of care are evidenced by violations of sections of Federal Regulations, 42 C.F.R. § 483 et seq., and Ohio Administrative Code sections, OAC 3701-17 et seq. and OAC 5122-30-22.1 et seq., the Ohio Rights of Persons with a Developmental Disability Law, R.C. §5123.62, and the Ohio Resident's Rights Law, R.C. §3721.13.

103. As a direct and proximate result of the negligent and/or willful, wanton and/or reckless actions of the Defendants described above, Michael Carnevale sustained permanent injury and loss including, but not limited to, conscious pain and suffering, disability, and death.

104. WHEREFORE, Plaintiff demands judgment against the Defendants, jointly, in an amount more than Twenty-Five Thousand Dollars ($25,000.00), for conscious pain and suffering, loss of enjoyment, together with costs of suit, attorney's fees and expenses, punitive and exemplary damages, and any other relief to which the Plaintiff may be entitled to and/or that the court finds is appropriate and/or equitable.

THIRD CAUSE OF ACTION
(WRONGFUL DEATH)

105. Plaintiff incorporates all other paragraphs of this Complaint as if fully rewritten herein.

106. Michael Carnevale depended on the Defendants, and their respective nursing and medical staff, for medical and nursing care, treatment, evaluation, and assistance.

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107. The Defendants had a duty to provide proper care and treatment to Michael Carnevale and to avoid causing injury to Michael Carnevale.

108. The Defendants, including their medical and nursing staff, failed to provide proper care and treatment to Michael Carnevale, which they knew or should have known they required, and their negligence was the direct and proximate cause of the injuries that Michael Carnevale suffered.

109. The Defendants' failure to provide proper care and treatment included, but is not limited to:

a. choosing to put inadequate prevention and response interventions in place to prevent injuries;

b. choosing to provide inadequate resident observation, supervision, and monitoring;

c. choosing to provide improper training to staff members regarding resident monitoring, assessment, response, and treatment;

d. choosing to provide too few, and / or underqualified nursing staff members for resident needs at each facility to protect and provide adequate care to residents like Michael Carnevale;

e. choosing to not provide accurate, adequate, or timely information to Michael Carnevale's family;

f. choosing to provide inadequate supervision to prevent accidents and falls;

g. choosing to violate orders relating to care of Michael Carnevale;

h. choosing to violate state and federal regulations governing care and staffing levels in nursing home facilities by which residents like Michael Carnevale are a member of the class of persons intended to be protected from injuries like those she suffered;

i. failing to ensure the rights and safety of its residents, including Michael Carnevale, as required by Ohio and federal regulations;

j. choosing not to provide appropriate care to Michael Carnevale while she was a resident of the Facility; and

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k. such other acts or omissions described in this Complaint or discovered in litigation.

110. Defendants, directly or through their employees or agents, violated Michael Carnevale's rights as a resident of the Defendants' facilities, as enumerated in Ohio Revised Code section 3721.13, including, but not limited to:

a. the right to a safe and clean living environment;

b. the right to be free from physical, verbal, mental, and emotional abuse and to be treated at all times with courtesy, respect, and full recognition of dignity and individuality;

c. the right to adequate and appropriate medical treatment and nursing care and to other ancillary services that comprise necessary and appropriate care;

d. the right to have clothes and bed sheets changed as the need arises, to ensure the resident's comfort or sanitation;

e. the right to participate in decisions that affect the resident's life; and

f. the right to have any significant change in the resident's health status reported to the resident's sponsor.

111. Empowering People, directly or through their employees or agents, violated Michael Carnevale's rights as a resident of Empowering People's facilities, as enumerated in Ohio Revised Code §5123.62, including, but not limited to:

h. The right to be treated at all times with courtesy and respect, and with full recognition of their dignity and individuality;

i. The right to an appropriate, safe, and sanitary living environment that complies with local, state, and federal standards and recognizes the persons' need for privacy and independence

j. The right of timely access to appropriate medical treatment;

k. The right to be free from emotional, psychological, and physical abuse;

l. The right to participate in decisions that affect their lives;

m. The right to voice grievances and recommend changes in policies and

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services without restraint, interference, coercion, discrimination, or reprisal; and

n. Such other acts or omissions described in this Complaint or discovered in litigation.

112. These violations are evidence of negligence and conscious disregard of Michael Carnevale's rights and safety, and give rise to a statutory cause of action.

113. Michael Carnevale endured conscious pain, suffering, and disability, and other harms and losses as the direct and proximate result of Defendants' violations of R.C. 3721.13 and/or OAC 3701-17 et seq. and OAC 5122-30-22.1 et seq., and the Ohio Rights of Persons with a Developmental Disability Law, R.C. §5123.62.

114. These actions constituted a conscious disregard for Michael Carnevale's rights and safety with a great probability of causing substantial harm from this misconduct, by which—through heedless indifference to the consequences—the Defendants or their staff disregarded a substantial and unjustifiable risk that the health care provider's conduct was likely to cause, at the time those services or that treatment or care were rendered, constituting an unreasonable risk of injury, death, or loss to person or property, or intentional misconduct or willful or wanton misconduct.

115. The Defendants were aware of the great probability of the harm that could result from their willful, wanton, and/or reckless misconduct.

116. The Defendants' disregard for the rights and safety of residents like Michael Carnevale created circumstances under which it became substantially certain that serious injuries would result.

117. The Defendants are directly liable for their own willful, wanton, and/or reckless misconduct.

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118. The Defendants are also vicariously liable for their employees' and agents' willful, wanton, and/or reckless misconduct.

119. The Defendants and their medical and nursing staff provided care to Michael Carnevale that fell below the standard of care expected of medical care and nursing home organizations, under the same or similar circumstances.

120. The departures from the standard of care are evidenced by violations of sections of Federal Regulations, 42 C.F.R. § 483 et seq., and Ohio Administrative Code sections, OAC 3701-17 et seq. and OAC 5122-30-22.1 et seq., the Ohio Rights of Persons with a Developmental Disability Law, R.C. §5123.62, and the Ohio Resident's Rights Law, R.C. section 3721.13.

121. As a direct and proximate result of the negligence / recklessness described above, Michael Carnevale sustained injuries that caused her untimely and wrongful death.

122. Michael Carnevale's next-of-kin suffered damages as set forth in the Ohio Wrongful Death statute, R.C. 2125.01 et seq., including mental anguish and grief and loss of Decedent's society and companionship.

123. WHEREFORE, Plaintiff demands judgment against Defendants, in an amount more than $25,000.00 to compensate the decedent's next of kin and heirs at law, together with costs of suit, attorneys' fees and expenses, and any other relief the court finds is appropriate and / or equitable.

FOURTH CAUSE OF ACTION
(NURSING HOME RESIDENT RIGHTS VIOLATION R.C. 3721.13)

124. Plaintiff incorporates all other paragraphs of this Complaint as if fully rewritten herein.

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125. Bath Manor, directly or through their employees or agents, violated Michael Carnevale's rights as a resident of Bath Manor's facilities, as enumerated in Ohio Revised Code section 3721.13, including, but not limited to:

a. the right to a safe and clean living environment;

b. the right to be free from physical, verbal, mental, and emotional abuse and to be treated at all times with courtesy, respect, and full recognition of dignity and individuality;

c. the right to adequate and appropriate medical treatment and nursing care and to other ancillary services that comprise necessary and appropriate care;

d. the right to have clothes and bed sheets changed as the need arises, to ensure the resident's comfort or sanitation;

e. the right to participate in decisions that affect the resident's life; and

f. the right to have any significant change in the resident's health status reported to the resident's sponsor.

126. These violations are evidence of negligence and conscious disregard of Michael Carnevale's rights and safety, and give rise to a statutory cause of action.

127. As a direct and proximate result of Bath Manor's violations of R.C. 3721.13, Michael Carnevale conscious pain, suffering, and disability, and other harms and losses, including death.

128. WHEREFORE, Plaintiff demands judgment against Bath Manor, jointly, in an amount in excess of $25,000.00, together with costs of suit, attorney's fees and expenses, punitive and exemplary damages, and any other relief to which the court finds is appropriate and / or equitable.

FIFTH CAUSE OF ACTION
(VIOLATION OF THE RIGHTS OF PERSONS WITH DEVELOPMENTAL DISABILITIES, R.C. 5123.62 AND 5123.64)

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129. Plaintiff incorporates all other paragraphs of this Complaint as if fully rewritten herein.

130. Michael Carnevale was a person with a developmental disability within the meaning of R.C. 5123.01 and was entitled to the rights enumerated in R.C. 5123.62.

131. The Empowering People Defendants, directly or through their employees or agents, violated Michael Carnevale's rights as enumerated in R.C. 5123.62, including, but not limited to:

a. The right to be treated at all times with courtesy and respect and with full recognition of his dignity and individuality;

b. The right to an appropriate, safe, and sanitary living environment that complies with local, state, and federal standards;

c. The right to food adequate to meet accepted standards of nutrition;

d. The right of timely access to appropriate medical treatment;

e. The right of access to necessary ancillary services, including physical therapy, occupational therapy, and speech therapy;

f. The right to be free from emotional, psychological, and physical abuse; and

g. The right to be free from unnecessary chemical or physical restraints.

132. R.C. 5123.64(B)(3) authorizes the filing of a legal action to enforce these rights and to recover damages for their violation. Plaintiff brings this claim on behalf of Michael Carnevale's Estate.

133. These violations are also evidence of negligence and of the Empowering People Defendants' conscious disregard of Michael Carnevale's rights and safety.

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134. As a direct and proximate result of the Empowering People Defendants' violations of R.C. 5123.62, Michael Carnevale suffered conscious pain, suffering, and disability, and other harms and losses including death.

135. WHEREFORE, Plaintiff demands judgment against the Empowering People Defendants, jointly, in an amount in excess of $25,000.00, together with costs of suit, attorney's fees and expenses, punitive and exemplary damages, and any other relief the court finds is appropriate and / or equitable.

SIXTH CAUSE OF ACTION
(CIVIL CONSPIRACY)

136. Plaintiff incorporates all other paragraphs of this Complaint as if fully rewritten herein.

137. Bath Manor had an express agreement, mutual understanding, or tacit agreement to, and/or their agents maliciously combined efforts to:

a. defraud residents and their families by delivering wholly inadequate care, contrary to their promises;

b. systemically understaff their facilities in violation of federal regulations, and for the purposes of their own profit, at the expense of resident health and safety;

c. under-capitalize the facilities and syphon money to themselves and related entities for the purposes of their own profit at the expense of resident health and safety;

d. inflate resident PDPM levels to obtain excessive and unjustified payments from Medicare and Medicaid while not providing the care paid for with these taxpayer dollars;

e. not provide the level of care, by understaffing the facility, paid for by taxpayer dollars;

f. misrepresenting to Medicare the staffing level of the facility to increase their rating; and

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g. as otherwise may be described in the Complaint or learned through discovery.

138. This understanding constitutes a malicious combination to injure residents of Bath Manor, including Michael Carnevale.

139. In pursuance of this common plan or design to commit tortious acts, Bath Manor actively took part in it, or furthered it by cooperation or request, or lent aid or encouragement to the wrongdoers, or ratified and adopted the wrongdoers' acts done for their benefit.

140. The conspiracy caused injury to Michael Carnevale.

141. The Defendants identified as Empowering People had an express agreement, mutual understanding, or tacit agreement to, and/or their agents maliciously combined efforts to:

a. defraud residents and their families by delivering wholly inadequate care, contrary to their promises;

b. systemically understaff their facilities in violation of federal and state regulations, and for the purposes of their own profit, at the expense of resident health and safety;

c. under-capitalize the facilities and syphon money to themselves and related entities for the purposes of their own profit at the expense of resident health and safety;

d. not provide the level of care, by understaffing the facility, paid for by taxpayer dollars;

e. conceal acts of neglect and/or abuse against residents by staff, agents, and/or employees of Empowering People in contravention of state regulation mandating reporting of neglect and/or abuse;

f. as otherwise may be described in the Complaint or learned through discovery.

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142. This understanding constitutes a malicious combination to injure residents of Empowering People's facilities, including Michael Carnevale.

143. In pursuance of this common plan or design to commit tortious acts, Empowering People actively took part in it, or furthered it by cooperation or request, or lent aid or encouragement to the wrongdoers, or ratified and adopted the wrongdoers' acts done for their benefit.

144. The conspiracy caused injury to Michael Carnevale.

145. WHEREFORE, Plaintiff demands judgment against the Defendants, jointly, in an amount in excess of $25,000.00, together with costs of suit, attorney's fees and expenses, punitive and exemplary damages, and any other relief to which the court finds is appropriate and / or equitable.

SEVENTH CAUSE OF ACTION
(FRAUD)

146. Plaintiff incorporates all other paragraphs of this Complaint as if fully rewritten herein.

147. Defendants concealed facts concerning their staffing levels, pay, and the amount of care they were actually capable of providing at the Facilities.

148. Not only did Defendants conceal this information, but they also publicly and privately represented that they provide exceptional services in an effort to induce the family of Michael Carnevale and other potential customers to place their loved ones in their care and custody.

149. These inducements were made falsely, with knowledge of their falsity, or with such utter disregard and recklessness as to whether they were true or false that knowledge may be inferred with the intent of misleading Michael Carnevale's family and

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other potential customers into placing their loved ones in the care and custody of Defendants.

150. Michael Carnevale's family and the family members of other potential customers reasonably relied on Defendants' representations and concealments regarding the degree of care they provide.

151. The result of these inducements and concealments was that Michael Carnevale's family, and the family of numerous other residents, allowed their loved one to be placed in Defendants' facility.

152. As a direct and proximate result of Defendants' actions, representations, and concealments, Michael Carnevale suffered conscious pain and suffering and death.

153. As a direct and proximate result of Defendants' action, representations, and concealments, Michael Carnevale's next-of-kin have experienced harms and losses as a result of his death, including those damages set forth in Ohio's wrongful death statute, Ohio Revised Code section 2125.02 *et seq*.

154. WHEREFORE, Plaintiff demands judgment against the Defendants, jointly, in an amount in excess of Twenty-Five Thousand Dollars ($25,000.00), together with costs of suit, attorney's fees and expenses, punitive and exemplary damages, and any other relief to which the court finds is appropriate and/or equitable.

A TRIAL BY JURY IS HEREBY DEMANDED

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Respectfully Submitted,

/s/ Lina Girgis

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