

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
LAKE COUNTY, ILLINOIS

LOWELL PATRICK MCCLURE as)
Independent Administrator of the Estate of,)
ARIC EVAN TASHJIAN MCCLURE,)
deceased,)

Plaintiff,)

v.)

No. 18L 00000595

GREATER ROUND LAKE FIRE PROTECTION)
DISTRICT; ANTIOCH FIRE DEPARTMENT;)
HIGHLAND PARK FIRE DEPARTMENT;)
LINCOLNSHIRE-RIVERWOODS FIRE)
DEPARTMENT; TOWN OF SALEM FIRE/RESCUE;)
BUFFALO GROVE FIRE DEPARTMENT;)
COUNTRYSIDE FIRE PROTECTION DISTRICT;)
LIBERTYVILLE FIRE DEPARTMENT; GRAYSLAKE)
FIRE PROTECTION DISTRICT; MABAS DIVISION)
4; BARRINGTON COUNTRYSIDE FIRE)
PROTECTION DISTRICT; GURNEE FIRE)
DEPARTMENT; LAKE FOREST FIRE)
DEPARTMENT; LAKE VILLA FIRE PROTECTION)
DISTRICT; LAKE ZURICH FIRE AND RESCUE)
DEPARTMENT; MUNDELEIN FIRE DEPARTMENT;)
NEWPORT FIRE PROTECTION DISTRICT;)
WAUCONDA FIRE PROTECTION DISTRICT;)
WAUKEGAN FIRE DEPARTMENT; MCHENRY)
TOWNSHIP FIRE PROTECTION DISTRICT; NUNDA)
RURAL FIRE PROTECTION DISTRICT; SPRING)
GROVE FIRE PROTECTION DISTRICT; FIRE CHIEF)
GREG FORMICA, COMMANDER TONY)
BREUSCHER, SCOTT GOTHANN, and MATTHEW)
SHEPPHARD)

Defendants.)

COMPLAINT

NOW COMES the Plaintiff, Lowell Patrick McClure, as Independent Administrator
of the Estate of Aric Evan Tashjian McClure, deceased, ("Plaintiff"), by and through his

NOTICE

PURSUANT TO LCR - 2-2.14

**THIS CASE IS HEREBY SET FOR AN INITIAL CASE MANAGEMENT CONFERENCE
IN COURTROOM _____ ON**

AT _____ A.M./P.M.

**FAILURE TO APPEAR MAY RESULT IN THE CASE BEING DISMISSED OR
AN ORDER OF DEFAULT BEING ENTERED.**

attorneys, R. F. Wittmeyer, Ltd., as and for his Complaint against Defendants, Greater Round Lake Fire Protection District, (“Greater Round Lake FPD”), Antioch Fire Department, (“Antioch FD”), Highland Park Fire Department, (“Highland Park FD”), Lincolnshire-Riverwoods Fire Department, (“Lincolnshire-Riverwoods FD”), Town of Salem Fire/Rescue, (“Town of Salem FD”), Buffalo Grove Fire Department, (“Buffalo Grove FD”), Countryside Fire Protection District, (“Countryside FD”), Libertyville Fire Department, (“Libertyville FD”), Grayslake Fire Protection District, (“Grayslake FD”), MABAS Division 4, (“MABAS Division 4”), Barrington Countryside Fire Protection District, (“Barrington FD”), Gurnee Fire Department, (“Gurnee FD”), Lake Forest Fire Department, (“Lake Forest FD”), Lake Villa Fire Protection District, (“Lake Villa FD”), Lake Zurich Fire and Rescue Department, (“Lake Zurich FD”), Mundelein Fire Department, (“Mundelein FD”), Newport Fire Protection District, (“Newport FD”), Wauconda Fire Protection District, (“Wauconda FD”), Waukegan Fire Department, (“Waukegan FD”), McHenry Township Fire Protection District, (“McHenry FD”), Nunda Rural Fire Protection District, (“Nunda FD”), Spring Grove Fire Protection District, (“Spring Grove FD”), Fire Chief Greg Formica, (“Greg Formica”), Commander Tony Breuscher, (“Tony Breuscher”), Scott Gothann and Matthew Sheppard state as follows:

COUNT 1 – Willful and Wanton – Wrongful Death
(McClure v. Greater Round Lake FPD)

1. Plaintiff at all times relevant has been a resident of the city of Deerfield, County of Lake, State of Illinois.

2. Plaintiff’s decedent, Aric Evan Tashjian McClure, at all times relevant was a resident of the city of Round Lake, County of Lake, State of Illinois.

3. On or about August 4, 2017, Plaintiff's decedent, Aric Evan Trashjian McClure, was a tenant of a residential apartment on the second floor of a mixed-use commercial property at 247 N. Cedar Lake Rd., Round Lake, Illinois (the "Subject Building".)

4. At and before the aforesaid time and place, Greater Round Lake FPD, 409 Nippersink Road, Round Lake, IL 60073, was a Fire Department charged with the duty of protecting the public from the dangers of structure fires.

5. At all times relevant, Plaintiff's decedent, Aric Evan Tashjian McClure, was exercising due care for his own safety and the safety of others.

6. At approximately 4:15 PM on August 4, 2017, Plaintiff's decedent, Aric Evan Tashjian McClure, was in his second-story apartment taking a nap, his mother, Beatrice Charmian Tashjian, having recently left his apartment.

7. At the aforesaid time and place, a building fire was started at 247 N. Cedar Lake Rd., Round Lake, Illinois, by the building owner Scott Gothann and his son-in-law, Matthew Sheppard, who were performing plumbing repairs at said building.

8. It was the duty of this Defendant, at and before the aforesaid time and place, to refrain from willful and wanton conduct.

9. On and before August 4, 2017, this Defendant acted with an utter indifference to and/or conscious disregard for the safety of others in one or more of the following respects:

- a. In violation of and conscious disregard for its basic training and standard operating procedures for search and rescue, this Defendant failed to adequately assess which occupants of the Subject Building might still be in the Subject Building at the time of the fire;
- b. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge that Plaintiff's decedent, Aric Evan Tashjian McClure, had not been located and might still be in the burning Subject Building, this defendant failed to assess and investigate the area of the Subject Building where Plaintiff's decedent, Aric Evan Tashjian McClure, would most likely be located and was last seen, which was his second-story apartment;
- c. In violation of and conscious disregard for its basic training and standard operating procedures, this Defendant consciously disregarded the numerous and repeated statements by neighbors, from the decedent's mother, Beatrice Charmian Tashjian, and other witnesses, that Plaintiff's decedent was unaccounted for, was last seen in his apartment and believed to still be trapped in his apartment on the second-story of the Subject Building, which was on fire;
- d. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform an adequate primary search

of the Subject Building, and particularly the second story apartment rented by Plaintiff's decedent;

- e. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform a search of Plaintiff's decedent's second floor apartment from the exterior of the building by extending available ladders up to one or both of the second-story exterior windows, which provided direct access to the apartment occupied by Plaintiff's decedent;
- f. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information the Plaintiff's decedent was likely still located inside the burning Subject Building and specifically in his second-story apartment, this Defendant failed to search for Plaintiff's decedent from outside the building by extending available ladders up to one or both of the exterior windows to his second-story apartment, by breaking the windows and using axle handles, pick poles and other equipment to sweep the apartment floor to search for Plaintiff's decedent;
- g. In violation of and conscious disregard for its basic training and standard operating procedures, this defendant intentionally, consciously, and recklessly completely disregarded the direct requests and pleas of Plaintiff decedent's mother, Beatrice Charmian Tashjian, to put a ladder

up to the exterior window of Aric's second-story bedroom where Tashjian advised this Defendant and others that she had last seen Aric, and that he was taking a nap, and that she believed he was still in his bedroom, which was readily accessible from the exterior of the building by ladder at the time she requested that this Defendant search for her son from the exterior of the building; and

- h. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge and information that Plaintiff's decedent could not be located and more likely than not was still in the Subject Building, this Defendant failed to conduct a search of the entire building before leaving the scene on August 4, 2017.

10. If this Defendant had not been guilty of willful and wanton conduct in one or more of the respects set forth above, this Defendant would have searched and found Plaintiff's decedent in the bedroom of his second-story apartment and, more likely than not, rescued him and saved his life.

11. As a direct and proximate result of one or more of the aforesaid willful and wanton acts and/or omissions by this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, sustained injuries of a personal and pecuniary nature, which survive his death.

12. Aric Evan Tashjian McClure, left surviving him as his only heirs and next of kin, Lowell Patrick McClure, his father, Beatrice Charmian Tashjian, his mother, Alana Eileen McClure Tashjian, his sister, each of whom suffered the profound loss of his love, affection, care, attention, companionship, comfort, guidance and protection.

13. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois.

WHEREFORE, the Plaintiff, Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment for the wrongful death of Aric Evan Tashjian McClure against Defendant Greater Round Lake Fire Protection District, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 2 - Wilful and Wanton – Survival Action
(McClure v. Greater Round Lake FPD)

1 – 10 Plaintiff re-alleges each and every allegation contained in paragraphs 1 through 10 of Count 1, and hereby incorporates the same as paragraphs 1 through 10 of Count 2, as though fully set forth herein.

11. As a proximate result of one or more of the willful and wanton acts or omissions of this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, suffered damages of a personal and permanency nature, including conscious pain and suffering, emotional distress, disability and had he lived, he would have been entitled to bring this action, and this action has survived his death.

12. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, and he brings this survival action pursuant to 735 ILCS 5/27-6.

WHEREFORE, the Plaintiff Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment against Defendant Greater Round Lake Fire Protection District, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 3 – Willful and Wanton – Wrongful Death

(McClure v. Antioch FD)

1. Plaintiff at all times relevant has been a resident of the city of Deerfield, County of Lake, State of Illinois.

2. Plaintiff's decedent, Aric Evan Tashjian McClure, at all times relevant was a resident of the city of Round Lake, County of Lake, State of Illinois.

3. On or about August 4, 2017, Plaintiff's decedent, Aric Evan Trashjian McClure, was a tenant of a residential apartment on the second floor of a mixed-use commercial property at 247 N. Cedar Lake Rd., Round Lake, Illinois (the "Subject Building".)

4. At and before the aforesaid time and place, Antioch FD, 835 Holbek Drive, Antioch, IL 60012 was a Fire Department charged with the duty of protecting the public from the dangers of structure fires.

5. At all times relevant, Plaintiff's decedent, Aric Evan Tashjian McClure, was exercising due care for his own safety and the safety of others.

6. At approximately 4:15 PM on August 4, 2017, Plaintiff's decedent, Aric Evan Tashjian McClure, was in his second-story apartment taking a nap, his mother, Beatrice Charmian Tashjian, having recently left his apartment.

7. At the aforesaid time and place, a building fire was started at 247 N. Cedar Lake Rd., Round Lake, Illinois, by the building owner Scott Gothann and his son-in-law, Matthew Sheppard, who were performing plumbing repairs at said building.

8. It was the duty of this Defendant, at and before the aforesaid time and place, to refrain from willful and wanton conduct.

9. On and before August 4, 2017, this Defendant acted with an utter indifference to and/or conscious disregard for the safety of others in one or more of the following respects:

- a. In violation of and conscious disregard for its basic training and standard operating procedures for search and rescue, this Defendant failed to adequately assess which occupants of the Subject Building might still be in the Subject Building at the time of the fire;
- b. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge that Plaintiff's decedent, Aric Evan Tashjian McClure, had not been located and might still be in the burning Subject Building, this defendant failed to assess and investigate the area of the Subject Building where Plaintiff's decedent, Aric Evan Tashjian McClure, would most likely be located and was last seen, which was his second-story apartment;
- c. In violation of and conscious disregard for its basic training and standard operating procedures, this Defendant consciously disregarded the numerous and repeated statements by neighbors, from the decedent's

mother, Beatrice Charmian Tashjian, and other witnesses, that Plaintiff's decedent was unaccounted for, was last seen in his apartment and believed to still be trapped in his apartment on the second-story of the Subject Building, which was on fire;

- d. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform an adequate primary search of the Subject Building, and particularly the second story apartment rented by Plaintiff's decedent;
- e. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform a search of Plaintiff's decedent's second floor apartment from the exterior of the building by extending available ladders up to one or both of the second-story exterior windows, which provided direct access to the apartment occupied by Plaintiff's decedent;
- f. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information the Plaintiff's decedent was likely still located inside the burning Subject Building and specifically in his second-story apartment, this Defendant failed to search for Plaintiff's decedent from outside the building by extending

available ladders up to one or both of the exterior windows to his second-story apartment, by breaking the windows and using axle handles, pick poles and other equipment to sweep the apartment floor to search for Plaintiff's decedent;

- g. In violation of and conscious disregard for its basic training and standard operating procedures, this defendant intentionally, consciously, and recklessly completely disregarded the direct requests and pleas of Plaintiff decedent's mother, Beatrice Charmian Tashjian, to put a ladder up to the exterior window of Aric's second-story bedroom where Tashjian advised this Defendant and others that she had last seen Aric, and that he was taking a nap, and that she believed he was still in his bedroom, which was readily accessible from the exterior of the building by ladder at the time she requested that this Defendant search for her son from the exterior of the building; and
- h. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge and information that Plaintiff's decedent could not be located and more likely than not was still in the Subject Building, this Defendant failed to conduct a search of the entire building before leaving the scene on August 4, 2017.

10. If this Defendant had not been guilty of willful and wanton conduct in one or more of the respects set forth above, this Defendant would have searched and found Plaintiff's decedent in the bedroom of his second-story apartment and, more likely than not, rescued him and saved his life.

11. As a direct and proximate result of one or more of the aforesaid willful and wanton acts and/or omissions by this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, sustained injuries of a personal and pecuniary nature, which survive his death.

12. Aric Evan Tashjian McClure, left surviving him as his only heirs and next of kin, Lowell Patrick McClure, his father, Beatrice Charmian Tashjian, his mother, Alana Eileen McClure Tashjian, his sister, each of whom suffered the profound loss of his love, affection, care, attention, companionship, comfort, guidance and protection.

13. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois.

WHEREFORE, the Plaintiff, Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment for the wrongful death of Aric Evan Tashjian McClure against Defendant Antioch Fire Department, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 4 - Wilful and Wanton – Survival Action)

(McClure v. Antioch FD)

1 – 10 Plaintiff re-alleges each and every allegation contained in paragraphs 1 through 10 of Count 3, and hereby incorporates the same as paragraphs 1 through 10 of Count 4, as though fully set forth herein.

11. As a proximate result of one or more of the willful and wanton acts or omissions of this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, suffered

damages of a personal and permanency nature, including conscious pain and suffering, emotional distress, disability and had he lived, he would have been entitled to bring this action, and this action has survived his death.

12. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, and he brings this survival action pursuant to 735 ILCS 5/27-6.

WHEREFORE, the Plaintiff Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment against Defendant Antioch Fire Department, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 5 – Willful and Wanton – Wrongful Death

(McClure v. Highland Park FD)

1. Plaintiff at all times relevant has been a resident of the city of Deerfield, County of Lake, State of Illinois.

2. Plaintiff's decedent, Aric Evan Tashjian McClure, at all times relevant was a resident of the city of Round Lake, County of Lake, State of Illinois.

3. On or about August 4, 2017, Plaintiff's decedent, Aric Evan Trashjian McClure, was a tenant of a residential apartment on the second floor of a mixed-use commercial property at 247 N. Cedar Lake Rd., Round Lake, Illinois (the "Subject Building".)

4. At and before the aforesaid time and place, Highland Park FD. 1130 Central Avenue, Highland Park, IL 60035 was a Fire Department charged with the duty of protecting the public from the dangers of structure fires.

5. At all times relevant, Plaintiff's decedent, Aric Evan Tashjian McClure, was exercising due care for his own safety and the safety of others.

6. At approximately 4:15 PM on August 4, 2017, Plaintiff's decedent, Aric Evan Tashjian McClure, was in his second-story apartment taking a nap, his mother, Beatrice Charmian Tashjian, having recently left his apartment.

7. At the aforesaid time and place, a building fire was started at 247 N. Cedar Lake Rd., Round Lake, Illinois, by the building owner Scott Gothann and his son-in-law, Matthew Sheppard, who were performing plumbing repairs at said building.

8. It was the duty of this Defendant, at and before the aforesaid time and place, to refrain from willful and wanton conduct.

9. On and before August 4, 2017, this Defendant acted with an utter indifference to and/or conscious disregard for the safety of others in one or more of the following respects:

- a. In violation of and conscious disregard for its basic training and standard operating procedures for search and rescue, this Defendant failed to adequately assess which occupants of the Subject Building might still be in the Subject Building at the time of the fire;

- b. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge that Plaintiff's decedent, Aric Evan Tashjian McClure, had not been located and might still be in the burning Subject Building, this defendant failed to assess and investigate the area of the Subject Building where Plaintiff's decedent, Aric Evan Tashjian McClure, would most likely be located and was last seen, which was his second-story apartment;
- c. In violation of and conscious disregard for its basic training and standard operating procedures, this Defendant consciously disregarded the numerous and repeated statements by neighbors, from the decedent's mother, Beatrice Charmian Tashjian, and other witnesses, that Plaintiff's decedent was unaccounted for, was last seen in his apartment and believed to still be trapped in his apartment on the second-story of the Subject Building, which was on fire;
- d. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform an adequate primary search of the Subject Building, and particularly the second story apartment rented by Plaintiff's decedent;
- e. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject

Building, this Defendant failed to perform a search of Plaintiff's decedent's second floor apartment from the exterior of the building by extending available ladders up to one or both of the second-story exterior windows, which provided direct access to the apartment occupied by Plaintiff's decedent;

- f. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information the Plaintiff's decedent was likely still located inside the burning Subject Building and specifically in his second-story apartment, this Defendant failed to search for Plaintiff's decedent from outside the building by extending available ladders up to one or both of the exterior windows to his second-story apartment, by breaking the windows and using axle handles, pick poles and other equipment to sweep the apartment floor to search for Plaintiff's decedent;
- g. In violation of and conscious disregard for its basic training and standard operating procedures, this defendant intentionally, consciously, and recklessly completely disregarded the direct requests and pleas of Plaintiff decedent's mother, Beatrice Charmian Tashjian, to put a ladder up to the exterior window of Aric's second-story bedroom where Tashjian advised this Defendant and others that she had last seen Aric, and that he was taking a nap, and that she believed he was still in his bedroom, which was readily accessible from the exterior of the building

by ladder at the time she requested that this Defendant search for her son from the exterior of the building; and

- h. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge and information that Plaintiff's decedent could not be located and more likely than not was still in the Subject Building, this Defendant failed to conduct a search of the entire building before leaving the scene on August 4, 2017.

10. If this Defendant had not been guilty of willful and wanton conduct in one or more of the respects set forth above, this Defendant would have searched and found Plaintiff's decedent in the bedroom of his second-story apartment and, more likely than not, rescued him and saved his life.

11. As a direct and proximate result of one or more of the aforesaid willful and wanton acts and/or omissions by this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, sustained injuries of a personal and pecuniary nature, which survive his death.

12. Aric Evan Tashjian McClure, left surviving him as his only heirs and next of kin, Lowell Patrick McClure, his father, Beatrice Charmian Tashjian, his mother, Alana Eileen McClure Tashjian, his sister, each of whom suffered the profound loss of his love, affection, care, attention, companionship, comfort, guidance and protection.

13. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois.

WHEREFORE, the Plaintiff, Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment for the wrongful death of Aric Evan Tashjian McClure against Defendant Highland Park Department, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 6 - Wilful and Wanton – Survival Action)
(McClure v. Highland Park FD)

1 – 10 Plaintiff re-alleges each and every allegation contained in paragraphs 1 through 10 of Count 5, and hereby incorporates the same as paragraphs 1 through 10 of Count 6, as though fully set forth herein.

11. As a proximate result of one or more of the willful and wanton acts or omissions of this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, suffered damages of a personal and permanency nature, including conscious pain and suffering, emotional distress, disability and had he lived, he would have been entitled to bring this action, and this action has survived his death.

12. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, and he brings this survival action pursuant to 735 ILCS 5/27-6.

WHEREFORE, the Plaintiff Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment against

Defendant Highland Park Fire Department, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 7 – Willful and Wanton – Wrongful Death
(McClure v. Lincolnshire-Riverwoods FD)

1. Plaintiff at all times relevant has been a resident of the city of Deerfield, County of Lake, State of Illinois.

2. Plaintiff's decedent, Aric Evan Tashjian McClure, at all times relevant was a resident of the city of Round Lake, County of Lake, State of Illinois.

3. On or about August 4, 2017, Plaintiff's decedent, Aric Evan Trashjian McClure, was a tenant of a residential apartment on the second floor of a mixed-use commercial property at 247 N. Cedar Lake Rd., Round Lake, Illinois (the "Subject Building".)

4. At and before the aforesaid time and place, Lincolnshire-Riverwoods FD, 115 Schelter Road, Lincolnshire, IL 60062 was a Fire Department charged with the duty of protecting the public from the dangers of structure fires.

5. At all times relevant, Plaintiff's decedent, Aric Evan Tashjian McClure, was exercising due care for his own safety and the safety of others.

6. At approximately 4:15 PM on August 4, 2017, Plaintiff's decedent, Aric Evan Tashjian McClure, was in his second-story apartment taking a nap, his mother, Beatrice Charmian Tashjian, having recently left his apartment.

7. At the aforesaid time and place, a building fire was started at 247 N. Cedar Lake Rd., Round Lake, Illinois, by the building owner Scott Gothann and his son-in-law, Matthew Sheppard, who were performing plumbing repairs at said building.

8. It was the duty of this Defendant, at and before the aforesaid time and place, to refrain from willful and wanton conduct.

9. On and before August 4, 2017, this Defendant acted with an utter indifference to and/or conscious disregard for the safety of others in one or more of the following respects:

- a. In violation of and conscious disregard for its basic training and standard operating procedures for search and rescue, this Defendant failed to adequately assess which occupants of the Subject Building might still be in the Subject Building at the time of the fire;
- b. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge that Plaintiff's decedent, Aric Evan Tashjian McClure, had not been located and might still be in the burning Subject Building, this defendant failed to assess and investigate the area of the Subject Building where Plaintiff's decedent, Aric Evan Tashjian McClure, would most likely be located and was last seen, which was his second-story apartment;
- c. In violation of and conscious disregard for its basic training and standard operating procedures, this Defendant consciously disregarded the numerous and repeated statements by neighbors, from the decedent's

mother, Beatrice Charmian Tashjian, and other witnesses, that Plaintiff's decedent was unaccounted for, was last seen in his apartment and believed to still be trapped in his apartment on the second-story of the Subject Building, which was on fire;

- d. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform an adequate primary search of the Subject Building, and particularly the second story apartment rented by Plaintiff's decedent;
- e. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform a search of Plaintiff's decedent's second floor apartment from the exterior of the building by extending available ladders up to one or both of the second-story exterior windows, which provided direct access to the apartment occupied by Plaintiff's decedent;
- f. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information the Plaintiff's decedent was likely still located inside the burning Subject Building and specifically in his second-story apartment, this Defendant failed to search for Plaintiff's decedent from outside the building by extending

available ladders up to one or both of the exterior windows to his second-story apartment, by breaking the windows and using axle handles, pick poles and other equipment to sweep the apartment floor to search for Plaintiff's decedent;

- g. In violation of and conscious disregard for its basic training and standard operating procedures, this defendant intentionally, consciously, and recklessly completely disregarded the direct requests and pleas of Plaintiff decedent's mother, Beatrice Charmian Tashjian, to put a ladder up to the exterior window of Aric's second-story bedroom where Tashjian advised this Defendant and others that she had last seen Aric, and that he was taking a nap, and that she believed he was still in his bedroom, which was readily accessible from the exterior of the building by ladder at the time she requested that this Defendant search for her son from the exterior of the building; and
- h. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge and information that Plaintiff's decedent could not be located and more likely than not was still in the Subject Building, this Defendant failed to conduct a search of the entire building before leaving the scene on August 4, 2017.

10. If this Defendant had not been guilty of willful and wanton conduct in one or more of the respects set forth above, this Defendant would have searched and found Plaintiff's decedent in the bedroom of his second-story apartment and, more likely than not, rescued him and saved his life.

11. As a direct and proximate result of one or more of the aforesaid willful and wanton acts and/or omissions by this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, sustained injuries of a personal and pecuniary nature, which survive his death.

12. Aric Evan Tashjian McClure, left surviving him as his only heirs and next of kin, Lowell Patrick McClure, his father, Beatrice Charmian Tashjian, his mother, Alana Eileen McClure Tashjian, his sister, each of whom suffered the profound loss of his love, affection, care, attention, companionship, comfort, guidance and protection.

13. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois.

WHEREFORE, the Plaintiff, Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment for the wrongful death of Aric Evan Tashjian McClure against Defendant Lincolnshire-Riverwoods Fire Department, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 8 - Wilful and Wanton – Survival Action)
(McClure v. Lincolnshire-Riverwoods FD)

1 – 10 Plaintiff re-alleges each and every allegation contained in paragraphs 1 through 10 of Count 7, and hereby incorporates the same as paragraphs 1 through 10 of Count 8, as though fully set forth herein.

11. As a proximate result of one or more of the willful and wanton acts or omissions of this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, suffered

damages of a personal and permanency nature, including conscious pain and suffering, emotional distress, disability and had he lived, he would have been entitled to bring this action, and this action has survived his death.

12. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, and he brings this survival action pursuant to 735 ILCS 5/27-6.

WHEREFORE, the Plaintiff Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment against Defendant Lincolnshire-Riverwoods Fire Department, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 9 – Willful and Wanton – Wrongful Death

(McClure v. Town of Salem FD)

1. Plaintiff at all times relevant has been a resident of the city of Deerfield, County of Lake, State of Illinois.
2. Plaintiff's decedent, Aric Evan Tashjian McClure, at all times relevant was a resident of the city of Round Lake, County of Lake, State of Illinois.
3. On or about August 4, 2017, Plaintiff's decedent, Aric Evan Trashjian McClure, was a tenant of a residential apartment on the second floor of a mixed-use commercial property at 247 N. Cedar Lake Rd., Round Lake, Illinois (the "Subject Building".)

4. At and before the aforesaid time and place, Town of Salem Fire/Rescue FD, 8339 Antioch Road, Salem, WI 53168 was a Fire Department charged with the duty of protecting the public from the dangers of structure fires.

5. At all times relevant, Plaintiff's decedent, Aric Evan Tashjian McClure, was exercising due care for his own safety and the safety of others.

6. At approximately 4:15 PM on August 4, 2017, Plaintiff's decedent, Aric Evan Tashjian McClure, was in his second-story apartment taking a nap, his mother, Beatrice Charmian Tashjian, having recently left his apartment.

7. At the aforesaid time and place, a building fire was started at 247 N. Cedar Lake Rd., Round Lake, Illinois, by the building owner Scott Gothann and his son-in-law, Matthew Sheppard, who were performing plumbing repairs at said building.

8. It was the duty of this Defendant, at and before the aforesaid time and place, to refrain from willful and wanton conduct.

9. On and before August 4, 2017, this Defendant acted with an utter indifference to and/or conscious disregard for the safety of others in one or more of the following respects:

- a. In violation of and conscious disregard for its basic training and standard operating procedures for search and rescue, this Defendant failed to adequately assess which occupants of the Subject Building might still be in the Subject Building at the time of the fire;

- b. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge that Plaintiff's decedent, Aric Evan Tashjian McClure, had not been located and might still be in the burning Subject Building, this defendant failed to assess and investigate the area of the Subject Building where Plaintiff's decedent, Aric Evan Tashjian McClure, would most likely be located and was last seen, which was his second-story apartment;
- c. In violation of and conscious disregard for its basic training and standard operating procedures, this Defendant consciously disregarded the numerous and repeated statements by neighbors, from the decedent's mother, Beatrice Charmian Tashjian, and other witnesses, that Plaintiff's decedent was unaccounted for, was last seen in his apartment and believed to still be trapped in his apartment on the second-story of the Subject Building, which was on fire;
- d. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform an adequate primary search of the Subject Building, and particularly the second story apartment rented by Plaintiff's decedent;
- e. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject

Building, this Defendant failed to perform a search of Plaintiff's decedent's second floor apartment from the exterior of the building by extending available ladders up to one or both of the second-story exterior windows, which provided direct access to the apartment occupied by Plaintiff's decedent;

- f. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information the Plaintiff's decedent was likely still located inside the burning Subject Building and specifically in his second-story apartment, this Defendant failed to search for Plaintiff's decedent from outside the building by extending available ladders up to one or both of the exterior windows to his second-story apartment, by breaking the windows and using axle handles, pick poles and other equipment to sweep the apartment floor to search for Plaintiff's decedent;
- g. In violation of and conscious disregard for its basic training and standard operating procedures, this defendant intentionally, consciously, and recklessly completely disregarded the direct requests and pleas of Plaintiff decedent's mother, Beatrice Charmian Tashjian, to put a ladder up to the exterior window of Aric's second-story bedroom where Tashjian advised this Defendant and others that she had last seen Aric, and that he was taking a nap, and that she believed he was still in his bedroom, which was readily accessible from the exterior of the building

by ladder at the time she requested that this Defendant search for her son from the exterior of the building; and

- h. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge and information that Plaintiff's decedent could not be located and more likely than not was still in the Subject Building, this Defendant failed to conduct a search of the entire building before leaving the scene on August 4, 2017.

10. If this Defendant had not been guilty of willful and wanton conduct in one or more of the respects set forth above, this Defendant would have searched and found Plaintiff's decedent in the bedroom of his second-story apartment and, more likely than not, rescued him and saved his life.

11. As a direct and proximate result of one or more of the aforesaid willful and wanton acts and/or omissions by this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, sustained injuries of a personal and pecuniary nature, which survive his death.

12. Aric Evan Tashjian McClure, left surviving him as his only heirs and next of kin, Lowell Patrick McClure, his father, Beatrice Charmian Tashjian, his mother, Alana Eileen McClure Tashjian, his sister, each of whom suffered the profound loss of his love, affection, care, attention, companionship, comfort, guidance and protection.

13. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois.

WHEREFORE, the Plaintiff, Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment for the wrongful death of Aric Evan Tashjian McClure against Defendant Town of Salem Fire/Rescue, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 10 - Wilful and Wanton – Survival Action)
(McClure v. Town of Salem FD)

1 – 10 Plaintiff re-alleges each and every allegation contained in paragraphs 1 through 10 of Count 9, and hereby incorporates the same as paragraphs 1 through 10 of Count 10, as though fully set forth herein.

11. As a proximate result of one or more of the willful and wanton acts or omissions of this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, suffered damages of a personal and permanency nature, including conscious pain and suffering, emotional distress, disability and had he lived, he would have been entitled to bring this action, and this action has survived his death.

12. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, and he brings this survival action pursuant to 735 ILCS 5/27-6.

WHEREFORE, the Plaintiff Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment against

Defendant Town of Salem Fire/Rescue, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 11 – Willful and Wanton – Wrongful Death

(McClure v. Buffalo Grove FD)

1. Plaintiff at all times relevant has been a resident of the city of Deerfield, County of Lake, State of Illinois.

2. Plaintiff's decedent, Aric Evan Tashjian McClure, at all times relevant was a resident of the city of Round Lake, County of Lake, State of Illinois.

3. On or about August 4, 2017, Plaintiff's decedent, Aric Evan Trashjian McClure, was a tenant of a residential apartment on the second floor of a mixed-use commercial property at 247 N. Cedar Lake Rd., Round Lake, Illinois (the "Subject Building".)

4. At and before the aforesaid time and place, Buffalo Grove FD, 1051 Highland Grove Drive, Buffalo Grove, IL 60089 was a Fire Department charged with the duty of protecting the public from the dangers of structure fires.

5. At all times relevant, Plaintiff's decedent, Aric Evan Tashjian McClure, was exercising due care for his own safety and the safety of others.

6. At approximately 4:15 PM on August 4, 2017, Plaintiff's decedent, Aric Evan Tashjian McClure, was in his second-story apartment taking a nap, his mother, Beatrice Charmian Tashjian, having recently left his apartment.

7. At the aforesaid time and place, a building fire was started at 247 N. Cedar Lake Rd., Round Lake, Illinois, by the building owner Scott Gothann and his son-in-law, Matthew Sheppard, who were performing plumbing repairs at said building.

8. It was the duty of this Defendant, at and before the aforesaid time and place, to refrain from willful and wanton conduct.

9. On and before August 4, 2017, this Defendant acted with an utter indifference to and/or conscious disregard for the safety of others in one or more of the following respects:

- a. In violation of and conscious disregard for its basic training and standard operating procedures for search and rescue, this Defendant failed to adequately assess which occupants of the Subject Building might still be in the Subject Building at the time of the fire;
- b. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge that Plaintiff's decedent, Aric Evan Tashjian McClure, had not been located and might still be in the burning Subject Building, this defendant failed to assess and investigate the area of the Subject Building where Plaintiff's decedent, Aric Evan Tashjian McClure, would most likely be located and was last seen, which was his second-story apartment;
- c. In violation of and conscious disregard for its basic training and standard operating procedures, this Defendant consciously disregarded the numerous and repeated statements by neighbors, from the decedent's

mother, Beatrice Charmian Tashjian, and other witnesses, that Plaintiff's decedent was unaccounted for, was last seen in his apartment and believed to still be trapped in his apartment on the second-story of the Subject Building, which was on fire;

- d. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform an adequate primary search of the Subject Building, and particularly the second story apartment rented by Plaintiff's decedent;
- e. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform a search of Plaintiff's decedent's second floor apartment from the exterior of the building by extending available ladders up to one or both of the second-story exterior windows, which provided direct access to the apartment occupied by Plaintiff's decedent;
- f. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information the Plaintiff's decedent was likely still located inside the burning Subject Building and specifically in his second-story apartment, this Defendant failed to search for Plaintiff's decedent from outside the building by extending

available ladders up to one or both of the exterior windows to his second-story apartment, by breaking the windows and using axle handles, pick poles and other equipment to sweep the apartment floor to search for Plaintiff's decedent;

- g. In violation of and conscious disregard for its basic training and standard operating procedures, this defendant intentionally, consciously, and recklessly completely disregarded the direct requests and pleas of Plaintiff decedent's mother, Beatrice Charmian Tashjian, to put a ladder up to the exterior window of Aric's second-story bedroom where Tashjian advised this Defendant and others that she had last seen Aric, and that he was taking a nap, and that she believed he was still in his bedroom, which was readily accessible from the exterior of the building by ladder at the time she requested that this Defendant search for her son from the exterior of the building; and
- h. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge and information that Plaintiff's decedent could not be located and more likely than not was still in the Subject Building, this Defendant failed to conduct a search of the entire building before leaving the scene on August 4, 2017.

10. If this Defendant had not been guilty of willful and wanton conduct in one or more of the respects set forth above, this Defendant would have searched and found Plaintiff's decedent in the bedroom of his second-story apartment and, more likely than not, rescued him and saved his life.

11. As a direct and proximate result of one or more of the aforesaid willful and wanton acts and/or omissions by this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, sustained injuries of a personal and pecuniary nature, which survive his death.

12. Aric Evan Tashjian McClure, left surviving him as his only heirs and next of kin, Lowell Patrick McClure, his father, Beatrice Charmian Tashjian, his mother, Alana Eileen McClure Tashjian, his sister, each of whom suffered the profound loss of his love, affection, care, attention, companionship, comfort, guidance and protection.

13. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois.

WHEREFORE, the Plaintiff, Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment for the wrongful death of Aric Evan Tashjian McClure against Defendant Buffalo Grove Fire Department, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 12 - Wilful and Wanton – Survival Action)

(McClure v. Buffalo Grove FD)

1 – 10 Plaintiff re-alleges each and every allegation contained in paragraphs 1 through 10 of Count 11, and hereby incorporates the same as paragraphs 1 through 10 of Count 12, as though fully set forth herein.

11. As a proximate result of one or more of the willful and wanton acts or omissions of this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, suffered

damages of a personal and permanency nature, including conscious pain and suffering, emotional distress, disability and had he lived, he would have been entitled to bring this action, and this action has survived his death.

12. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, and he brings this survival action pursuant to 735 ILCS 5/27-6.

WHEREFORE, the Plaintiff Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment against Defendant Buffalo Grove Fire Department in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 13 – Willful and Wanton – Wrongful Death

(McClure v. Countryside FD)

1. Plaintiff at all times relevant has been a resident of the city of Deerfield, County of Lake, State of Illinois.

2. Plaintiff's decedent, Aric Evan Tashjian McClure, at all times relevant was a resident of the city of Round Lake, County of Lake, State of Illinois.

3. On or about August 4, 2017, Plaintiff's decedent, Aric Evan Trashjian McClure, was a tenant of a residential apartment on the second floor of a mixed-use commercial property at 247 N. Cedar Lake Rd., Round Lake, Illinois (the "Subject Building".)

4. At and before the aforesaid time and place, Countryside FD, 600 N. Deerpath Drive, Vernon Hills, IL 60061 was a Fire Department charged with the duty of protecting the public from the dangers of structure fires.

5. At all times relevant, Plaintiff's decedent, Aric Evan Tashjian McClure, was exercising due care for his own safety and the safety of others.

6. At approximately 4:15 PM on August 4, 2017, Plaintiff's decedent, Aric Evan Tashjian McClure, was in his second-story apartment taking a nap, his mother, Beatrice Charmian Tashjian, having recently left his apartment.

7. At the aforesaid time and place, a building fire was started at 247 N. Cedar Lake Rd., Round Lake, Illinois, by the building owner Scott Gothann and his son-in-law, Matthew Sheppard, who were performing plumbing repairs at said building.

8. It was the duty of this Defendant, at and before the aforesaid time and place, to refrain from willful and wanton conduct.

9. On and before August 4, 2017, this Defendant acted with an utter indifference to and/or conscious disregard for the safety of others in one or more of the following respects:

- a. In violation of and conscious disregard for its basic training and standard operating procedures for search and rescue, this Defendant failed to adequately assess which occupants of the Subject Building might still be in the Subject Building at the time of the fire;

- b. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge that Plaintiff's decedent, Aric Evan Tashjian McClure, had not been located and might still be in the burning Subject Building, this defendant failed to assess and investigate the area of the Subject Building where Plaintiff's decedent, Aric Evan Tashjian McClure, would most likely be located and was last seen, which was his second-story apartment;
- c. In violation of and conscious disregard for its basic training and standard operating procedures, this Defendant consciously disregarded the numerous and repeated statements by neighbors, from the decedent's mother, Beatrice Charmian Tashjian, and other witnesses, that Plaintiff's decedent was unaccounted for, was last seen in his apartment and believed to still be trapped in his apartment on the second-story of the Subject Building, which was on fire;
- d. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform an adequate primary search of the Subject Building, and particularly the second story apartment rented by Plaintiff's decedent;
- e. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject

Building, this Defendant failed to perform a search of Plaintiff's decedent's second floor apartment from the exterior of the building by extending available ladders up to one or both of the second-story exterior windows, which provided direct access to the apartment occupied by Plaintiff's decedent;

f. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information the Plaintiff's decedent was likely still located inside the burning Subject Building and specifically in his second-story apartment, this Defendant failed to search for Plaintiff's decedent from outside the building by extending available ladders up to one or both of the exterior windows to his second-story apartment, by breaking the windows and using axle handles, pick poles and other equipment to sweep the apartment floor to search for Plaintiff's decedent;

g. In violation of and conscious disregard for its basic training and standard operating procedures, this defendant intentionally, consciously, and recklessly completely disregarded the direct requests and pleas of Plaintiff decedent's mother, Beatrice Charmian Tashjian, to put a ladder up to the exterior window of Aric's second-story bedroom where Tashjian advised this Defendant and others that she had last seen Aric, and that he was taking a nap, and that she believed he was still in his bedroom, which was readily accessible from the exterior of the building

by ladder at the time she requested that this Defendant search for her son from the exterior of the building; and

- h. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge and information that Plaintiff's decedent could not be located and more likely than not was still in the Subject Building, this Defendant failed to conduct a search of the entire building before leaving the scene on August 4, 2017.

10. If this Defendant had not been guilty of willful and wanton conduct in one or more of the respects set forth above, this Defendant would have searched and found Plaintiff's decedent in the bedroom of his second-story apartment and, more likely than not, rescued him and saved his life.

11. As a direct and proximate result of one or more of the aforesaid willful and wanton acts and/or omissions by this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, sustained injuries of a personal and pecuniary nature, which survive his death.

12. Aric Evan Tashjian McClure, left surviving him as his only heirs and next of kin, Lowell Patrick McClure, his father, Beatrice Charmian Tashjian, his mother, Alana Eileen McClure Tashjian, his sister, each of whom suffered the profound loss of his love, affection, care, attention, companionship, comfort, guidance and protection.

13. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois.

WHEREFORE, the Plaintiff, Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment for the wrongful death of Aric Evan Tashjian McClure against Defendant Countryside Fire Protection District, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 14 - Wilful and Wanton – Survival Action)
(McClure v. Countryside FD)

1 – 10 Plaintiff re-alleges each and every allegation contained in paragraphs 1 through 10 of Count 13, and hereby incorporates the same as paragraphs 1 through 10 of Count 14, as though fully set forth herein.

11. As a proximate result of one or more of the willful and wanton acts or omissions of this Defendant , Plaintiff's decedent, Aric Evan Tashjian McClure, suffered damages of a personal and permanency nature, including conscious pain and suffering, emotional distress, disability and had he lived, he would have been entitled to bring this action, and this action has survived his death.

12. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, and he brings this survival action pursuant to 735 ILCS 5/27-6.

WHEREFORE, the Plaintiff Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment against

Defendant Countryside Fire Protection District, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 15– Willful and Wanton – Wrongful Death

(McClure v. Libertyville FD)

1. Plaintiff at all times relevant has been a resident of the city of Deerfield, County of Lake, State of Illinois.
2. Plaintiff's decedent, Aric Evan Tashjian McClure, at all times relevant was a resident of the city of Round Lake, County of Lake, State of Illinois.
3. On or about August 4, 2017, Plaintiff's decedent, Aric Evan Trashjian McClure, was a tenant of a residential apartment on the second floor of a mixed-use commercial property at 247 N. Cedar Lake Rd., Round Lake, Illinois (the "Subject Building".)
4. At and before the aforesaid time and place, Libertyville FD, 1551 N. Milwaukee Avenue, Libertyville, IL 60048 was a Fire Department charged with the duty of protecting the public from the dangers of structure fires.
5. At all times relevant, Plaintiff's decedent, Aric Evan Tashjian McClure, was exercising due care for his own safety and the safety of others.
6. At approximately 4:15 PM on August 4, 2017, Plaintiff's decedent, Aric Evan Tashjian McClure, was in his second-story apartment taking a nap, his mother, Beatrice Charmian Tashjian, having recently left his apartment.

7. At the aforesaid time and place, a building fire was started at 247 N. Cedar Lake Rd., Round Lake, Illinois, by the building owner Scott Gothann and his son-in-law, Matthew Sheppard, who were performing plumbing repairs at said building.

8. It was the duty of this Defendant, at and before the aforesaid time and place, to refrain from willful and wanton conduct.

9. On and before August 4, 2017, this Defendant acted with an utter indifference to and/or conscious disregard for the safety of others in one or more of the following respects:

- a. In violation of and conscious disregard for its basic training and standard operating procedures for search and rescue, this Defendant failed to adequately assess which occupants of the Subject Building might still be in the Subject Building at the time of the fire;
- b. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge that Plaintiff's decedent, Aric Evan Tashjian McClure, had not been located and might still be in the burning Subject Building, this defendant failed to assess and investigate the area of the Subject Building where Plaintiff's decedent, Aric Evan Tashjian McClure, would most likely be located and was last seen, which was his second-story apartment;
- c. In violation of and conscious disregard for its basic training and standard operating procedures, this Defendant consciously disregarded the numerous and repeated statements by neighbors, from the decedent's

mother, Beatrice Charmian Tashjian, and other witnesses, that Plaintiff's decedent was unaccounted for, was last seen in his apartment and believed to still be trapped in his apartment on the second-story of the Subject Building, which was on fire;

- d. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform an adequate primary search of the Subject Building, and particularly the second story apartment rented by Plaintiff's decedent;
- e. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform a search of Plaintiff's decedent's second floor apartment from the exterior of the building by extending available ladders up to one or both of the second-story exterior windows, which provided direct access to the apartment occupied by Plaintiff's decedent;
- f. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information the Plaintiff's decedent was likely still located inside the burning Subject Building and specifically in his second-story apartment, this Defendant failed to search for Plaintiff's decedent from outside the building by extending

available ladders up to one or both of the exterior windows to his second-story apartment, by breaking the windows and using axle handles, pick poles and other equipment to sweep the apartment floor to search for Plaintiff's decedent;

- g. In violation of and conscious disregard for its basic training and standard operating procedures, this defendant intentionally, consciously, and recklessly completely disregarded the direct requests and pleas of Plaintiff decedent's mother, Beatrice Charmian Tashjian, to put a ladder up to the exterior window of Aric's second-story bedroom where Tashjian advised this Defendant and others that she had last seen Aric, and that he was taking a nap, and that she believed he was still in his bedroom, which was readily accessible from the exterior of the building by ladder at the time she requested that this Defendant search for her son from the exterior of the building; and
- h. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge and information that Plaintiff's decedent could not be located and more likely than not was still in the Subject Building, this Defendant failed to conduct a search of the entire building before leaving the scene on August 4, 2017.

10. If this Defendant had not been guilty of willful and wanton conduct in one or more of the respects set forth above, this Defendant would have searched and found Plaintiff's decedent in the bedroom of his second-story apartment and, more likely than not, rescued him and saved his life.

11. As a direct and proximate result of one or more of the aforesaid willful and wanton acts and/or omissions by this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, sustained injuries of a personal and pecuniary nature, which survive his death.

12. Aric Evan Tashjian McClure, left surviving him as his only heirs and next of kin, Lowell Patrick McClure, his father, Beatrice Charmian Tashjian, his mother, Alana Eileen McClure Tashjian, his sister, each of whom suffered the profound loss of his love, affection, care, attention, companionship, comfort, guidance and protection.

13. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois.

WHEREFORE, the Plaintiff, Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment for the wrongful death of Aric Evan Tashjian McClure against Defendant Libertyville Fire Department, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 16 - Wilful and Wanton – Survival Action)

(McClure v. Libertyville FD)

1 – 10 Plaintiff re-alleges each and every allegation contained in paragraphs 1 through 10 of Count 15, and hereby incorporates the same as paragraphs 1 through 10 of Count 16, as though fully set forth herein.

11. As a proximate result of one or more of the willful and wanton acts or omissions of this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, suffered

damages of a personal and permanency nature, including conscious pain and suffering, emotional distress, disability and had he lived, he would have been entitled to bring this action, and this action has survived his death.

12. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, and he brings this survival action pursuant to 735 ILCS 5/27-6.

WHEREFORE, the Plaintiff Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment against Defendant Libertyville Fire Department, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 17 – Willful and Wanton – Wrongful Death

(McClure v. Grayslake FD)

1. Plaintiff at all times relevant has been a resident of the city of Deerfield, County of Lake, State of Illinois.

2. Plaintiff's decedent, Aric Evan Tashjian McClure, at all times relevant was a resident of the city of Round Lake, County of Lake, State of Illinois.

3. On or about August 4, 2017, Plaintiff's decedent, Aric Evan Trashjian McClure, was a tenant of a residential apartment on the second floor of a mixed-use commercial property at 247 N. Cedar Lake Rd., Round Lake, Illinois (the "Subject Building".)

4. At and before the aforesaid time and place, Grayslake FD, 160 Hawley Street, Grayslake, IL 60030 was a Fire Department charged with the duty of protecting the public from the dangers of structure fires.

5. At all times relevant, Plaintiff's decedent, Aric Evan Tashjian McClure, was exercising due care for his own safety and the safety of others.

6. At approximately 4:15 PM on August 4, 2017, Plaintiff's decedent, Aric Evan Tashjian McClure, was in his second-story apartment taking a nap, his mother, Beatrice Charmian Tashjian, having recently left his apartment.

7. At the aforesaid time and place, a building fire was started at 247 N. Cedar Lake Rd., Round Lake, Illinois, by the building owner Scott Gothann and his son-in-law, Matthew Sheppard, who were performing plumbing repairs at said building.

8. It was the duty of this Defendant, at and before the aforesaid time and place, to refrain from willful and wanton conduct.

9. On and before August 4, 2017, this Defendant acted with an utter indifference to and/or conscious disregard for the safety of others in one or more of the following respects:

- a. In violation of and conscious disregard for its basic training and standard operating procedures for search and rescue, this Defendant failed to adequately assess which occupants of the Subject Building might still be in the Subject Building at the time of the fire;

- b. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge that Plaintiff's decedent, Aric Evan Tashjian McClure, had not been located and might still be in the burning Subject Building, this defendant failed to assess and investigate the area of the Subject Building where Plaintiff's decedent, Aric Evan Tashjian McClure, would most likely be located and was last seen, which was his second-story apartment;
- c. In violation of and conscious disregard for its basic training and standard operating procedures, this Defendant consciously disregarded the numerous and repeated statements by neighbors, from the decedent's mother, Beatrice Charmian Tashjian, and other witnesses, that Plaintiff's decedent was unaccounted for, was last seen in his apartment and believed to still be trapped in his apartment on the second-story of the Subject Building, which was on fire;
- d. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform an adequate primary search of the Subject Building, and particularly the second story apartment rented by Plaintiff's decedent;
- e. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject

Building, this Defendant failed to perform a search of Plaintiff's decedent's second floor apartment from the exterior of the building by extending available ladders up to one or both of the second-story exterior windows, which provided direct access to the apartment occupied by Plaintiff's decedent;

f. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information the Plaintiff's decedent was likely still located inside the burning Subject Building and specifically in his second-story apartment, this Defendant failed to search for Plaintiff's decedent from outside the building by extending available ladders up to one or both of the exterior windows to his second-story apartment, by breaking the windows and using axle handles, pick poles and other equipment to sweep the apartment floor to search for Plaintiff's decedent;

g. In violation of and conscious disregard for its basic training and standard operating procedures, this defendant intentionally, consciously, and recklessly completely disregarded the direct requests and pleas of Plaintiff decedent's mother, Beatrice Charmian Tashjian, to put a ladder up to the exterior window of Aric's second-story bedroom where Tashjian advised this Defendant and others that she had last seen Aric, and that he was taking a nap, and that she believed he was still in his bedroom, which was readily accessible from the exterior of the building

by ladder at the time she requested that this Defendant search for her son from the exterior of the building; and

- h. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge and information that Plaintiff's decedent could not be located and more likely than not was still in the Subject Building, this Defendant failed to conduct a search of the entire building before leaving the scene on August 4, 2017.

10. If this Defendant had not been guilty of willful and wanton conduct in one or more of the respects set forth above, this Defendant would have searched and found Plaintiff's decedent in the bedroom of his second-story apartment and, more likely than not, rescued him and saved his life.

11. As a direct and proximate result of one or more of the aforesaid willful and wanton acts and/or omissions by this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, sustained injuries of a personal and pecuniary nature, which survive his death.

12. Aric Evan Tashjian McClure, left surviving him as his only heirs and next of kin, Lowell Patrick McClure, his father, Beatrice Charmian Tashjian, his mother, Alana Eileen McClure Tashjian, his sister, each of whom suffered the profound loss of his love, affection, care, attention, companionship, comfort, guidance and protection.

13. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois.

WHEREFORE, the Plaintiff, Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment for the wrongful death of Aric Evan Tashjian McClure against Defendant Grayslake Fire Department, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 18 - Wilful and Wanton – Survival Action)
(McClure v. Grayslake FD)

1 – 10 Plaintiff re-alleges each and every allegation contained in paragraphs 1 through 10 of Count 17, and hereby incorporates the same as paragraphs 1 through 10 of Count 18, as though fully set forth herein.

11. As a proximate result of one or more of the willful and wanton acts or omissions of this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, suffered damages of a personal and permanency nature, including conscious pain and suffering, emotional distress, disability and had he lived, he would have been entitled to bring this action, and this action has survived his death.

12. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, and he brings this survival action pursuant to 735 ILCS 5/27-6.

WHEREFORE, the Plaintiff Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment against

Defendant Grayslake Fire Protection District, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 19 – Willful and Wanton – Wrongful Death

(McClure v. MABAS Division 4)

1. Plaintiff at all times relevant has been a resident of the city of Deerfield, County of Lake, State of Illinois.

2. Plaintiff's decedent, Aric Evan Tashjian McClure, at all times relevant was a resident of the city of Round Lake, County of Lake, State of Illinois.

3. On or about August 4, 2017, Plaintiff's decedent, Aric Evan Trashjian McClure, was a tenant of a residential apartment on the second floor of a mixed-use commercial property at 247 N. Cedar Lake Rd., Round Lake, Illinois (the "Subject Building".)

4. At and before the aforesaid time and place, MABAS Division 4, 20 W. North Street, Hainesville, IL 60030 was a Fire Department charged with the duty of protecting the public from the dangers of structure fires.

5. At all times relevant, Plaintiff's decedent, Aric Evan Tashjian McClure, was exercising due care for his own safety and the safety of others.

6. At approximately 4:15 PM on August 4, 2017, Plaintiff's decedent, Aric Evan Tashjian McClure, was in his second-story apartment taking a nap, his mother, Beatrice Charmian Tashjian, having recently left his apartment.

7. At the aforesaid time and place, a building fire was started at 247 N. Cedar Lake Rd., Round Lake, Illinois, by the building owner Scott Gothann and his son-in-law, Matthew Sheppard, who were performing plumbing repairs at said building.

8. It was the duty of this Defendant, at and before the aforesaid time and place, to refrain from willful and wanton conduct.

9. On and before August 4, 2017, this Defendant acted with an utter indifference to and/or conscious disregard for the safety of others in one or more of the following respects:

- a. In violation of and conscious disregard for its basic training and standard operating procedures for search and rescue, this Defendant failed to adequately assess which occupants of the Subject Building might still be in the Subject Building at the time of the fire;
- b. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge that Plaintiff's decedent, Aric Evan Tashjian McClure, had not been located and might still be in the burning Subject Building, this defendant failed to assess and investigate the area of the Subject Building where Plaintiff's decedent, Aric Evan Tashjian McClure, would most likely be located and was last seen, which was his second-story apartment;
- c. In violation of and conscious disregard for its basic training and standard operating procedures, this Defendant consciously disregarded the numerous and repeated statements by neighbors, from the decedent's

mother, Beatrice Charmian Tashjian, and other witnesses, that Plaintiff's decedent was unaccounted for, was last seen in his apartment and believed to still be trapped in his apartment on the second-story of the Subject Building, which was on fire;

- d. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform an adequate primary search of the Subject Building, and particularly the second story apartment rented by Plaintiff's decedent;
- e. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform a search of Plaintiff's decedent's second floor apartment from the exterior of the building by extending available ladders up to one or both of the second-story exterior windows, which provided direct access to the apartment occupied by Plaintiff's decedent;
- f. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information the Plaintiff's decedent was likely still located inside the burning Subject Building and specifically in his second-story apartment, this Defendant failed to search for Plaintiff's decedent from outside the building by extending

available ladders up to one or both of the exterior windows to his second-story apartment, by breaking the windows and using axle handles, pick poles and other equipment to sweep the apartment floor to search for Plaintiff's decedent;

- g. In violation of and conscious disregard for its basic training and standard operating procedures, this defendant intentionally, consciously, and recklessly completely disregarded the direct requests and pleas of Plaintiff decedent's mother, Beatrice Charmian Tashjian, to put a ladder up to the exterior window of Aric's second-story bedroom where Tashjian advised this Defendant and others that she had last seen Aric, and that he was taking a nap, and that she believed he was still in his bedroom, which was readily accessible from the exterior of the building by ladder at the time she requested that this Defendant search for her son from the exterior of the building; and
- h. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge and information that Plaintiff's decedent could not be located and more likely than not was still in the Subject Building, this Defendant failed to conduct a search of the entire building before leaving the scene on August 4, 2017.

10. If this Defendant had not been guilty of willful and wanton conduct in one or more of the respects set forth above, this Defendant would have searched and found Plaintiff's decedent in the bedroom of his second-story apartment and, more likely than not, rescued him and saved his life.

11. As a direct and proximate result of one or more of the aforesaid willful and wanton acts and/or omissions by this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, sustained injuries of a personal and pecuniary nature, which survive his death.

12. Aric Evan Tashjian McClure, left surviving him as his only heirs and next of kin, Lowell Patrick McClure, his father, Beatrice Charmian Tashjian, his mother, Alana Eileen McClure Tashjian, his sister, each of whom suffered the profound loss of his love, affection, care, attention, companionship, comfort, guidance and protection.

13. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois.

WHEREFORE, the Plaintiff, Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment for the wrongful death of Aric Evan Tashjian McClure against Defendant MABAS Division 4, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 20 - Wilful and Wanton – Survival Action)

(McClure v. MABAS Division 4)

1 – 10 Plaintiff re-alleges each and every allegation contained in paragraphs 1 through 10 of Count 19, and hereby incorporates the same as paragraphs 1 through 10 of Count 20, as though fully set forth herein.

11. As a proximate result of one or more of the willful and wanton acts or omissions of this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, suffered

damages of a personal and permanency nature, including conscious pain and suffering, emotional distress, disability and had he lived, he would have been entitled to bring this action, and this action has survived his death.

12. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, and he brings this survival action pursuant to 735 ILCS 5/27-6.

WHEREFORE, the Plaintiff Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment against Defendant MABAS Division 4, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 21 – Willful and Wanton – Wrongful Death

(McClure v. Barrington FD)

1. Plaintiff at all times relevant has been a resident of the city of Deerfield, County of Lake, State of Illinois.

2. Plaintiff's decedent, Aric Evan Tashjian McClure, at all times relevant was a resident of the city of Round Lake, County of Lake, State of Illinois.

3. On or about August 4, 2017, Plaintiff's decedent, Aric Evan Trashjian McClure, was a tenant of a residential apartment on the second floor of a mixed-use commercial property at 247 N. Cedar Lake Rd., Round Lake, Illinois (the "Subject Building".)

4. At and before the aforesaid time and place, Barrington FD, 22222 N. Pepper Road, Lake Barrington, IL 60010 was a Fire Department charged with the duty of protecting the public from the dangers of structure fires.

5. At all times relevant, Plaintiff's decedent, Aric Evan Tashjian McClure, was exercising due care for his own safety and the safety of others.

6. At approximately 4:15 PM on August 4, 2017, Plaintiff's decedent, Aric Evan Tashjian McClure, was in his second-story apartment taking a nap, his mother, Beatrice Charmian Tashjian, having recently left his apartment.

7. At the aforesaid time and place, a building fire was started at 247 N. Cedar Lake Rd., Round Lake, Illinois, by the building owner Scott Gothann and his son-in-law, Matthew Sheppard, who were performing plumbing repairs at said building.

8. It was the duty of this Defendant, at and before the aforesaid time and place, to refrain from willful and wanton conduct.

9. On and before August 4, 2017, this Defendant acted with an utter indifference to and/or conscious disregard for the safety of others in one or more of the following respects:

- a. In violation of and conscious disregard for its basic training and standard operating procedures for search and rescue, this Defendant failed to adequately assess which occupants of the Subject Building might still be in the Subject Building at the time of the fire;

- b. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge that Plaintiff's decedent, Aric Evan Tashjian McClure, had not been located and might still be in the burning Subject Building, this defendant failed to assess and investigate the area of the Subject Building where Plaintiff's decedent, Aric Evan Tashjian McClure, would most likely be located and was last seen, which was his second-story apartment;
- c. In violation of and conscious disregard for its basic training and standard operating procedures, this Defendant consciously disregarded the numerous and repeated statements by neighbors, from the decedent's mother, Beatrice Charmian Tashjian, and other witnesses, that Plaintiff's decedent was unaccounted for, was last seen in his apartment and believed to still be trapped in his apartment on the second-story of the Subject Building, which was on fire;
- d. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform an adequate primary search of the Subject Building, and particularly the second story apartment rented by Plaintiff's decedent;
- e. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject

Building, this Defendant failed to perform a search of Plaintiff's decedent's second floor apartment from the exterior of the building by extending available ladders up to one or both of the second-story exterior windows, which provided direct access to the apartment occupied by Plaintiff's decedent;

- f. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information the Plaintiff's decedent was likely still located inside the burning Subject Building and specifically in his second-story apartment, this Defendant failed to search for Plaintiff's decedent from outside the building by extending available ladders up to one or both of the exterior windows to his second-story apartment, by breaking the windows and using axle handles, pick poles and other equipment to sweep the apartment floor to search for Plaintiff's decedent;
- g. In violation of and conscious disregard for its basic training and standard operating procedures, this defendant intentionally, consciously, and recklessly completely disregarded the direct requests and pleas of Plaintiff decedent's mother, Beatrice Charmian Tashjian, to put a ladder up to the exterior window of Aric's second-story bedroom where Tashjian advised this Defendant and others that she had last seen Aric, and that he was taking a nap, and that she believed he was still in his bedroom, which was readily accessible from the exterior of the building

by ladder at the time she requested that this Defendant search for her son from the exterior of the building; and

- h. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge and information that Plaintiff's decedent could not be located and more likely than not was still in the Subject Building, this Defendant failed to conduct a search of the entire building before leaving the scene on August 4, 2017.

10. If this Defendant had not been guilty of willful and wanton conduct in one or more of the respects set forth above, this Defendant would have searched and found Plaintiff's decedent in the bedroom of his second-story apartment and, more likely than not, rescued him and saved his life.

11. As a direct and proximate result of one or more of the aforesaid willful and wanton acts and/or omissions by this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, sustained injuries of a personal and pecuniary nature, which survive his death.

12. Aric Evan Tashjian McClure, left surviving him as his only heirs and next of kin, Lowell Patrick McClure, his father, Beatrice Charmian Tashjian, his mother, Alana Eileen McClure Tashjian, his sister, each of whom suffered the profound loss of his love, affection, care, attention, companionship, comfort, guidance and protection.

13. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois.

WHEREFORE, the Plaintiff, Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment for the wrongful death of Aric Evan Tashjian McClure against Defendant Barrington Countryside Fire Protection District, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 22 - Wilful and Wanton – Survival Action)

(McClure v. Barrington FD)

1 – 10 Plaintiff re-alleges each and every allegation contained in paragraphs 1 through 10 of Count 21, and hereby incorporates the same as paragraphs 1 through 10 of Count 22, as though fully set forth herein.

11. As a proximate result of one or more of the willful and wanton acts or omissions of this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, suffered damages of a personal and permanency nature, including conscious pain and suffering, emotional distress, disability and had he lived, he would have been entitled to bring this action, and this action has survived his death.

12. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, and he brings this survival action pursuant to 735 ILCS 5/27-6.

WHEREFORE, the Plaintiff Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment against

Defendant Barrington Countryside Fire Protection District in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 23 – Willful and Wanton – Wrongful Death

(McClure v. Gurnee FD)

1. Plaintiff at all times relevant has been a resident of the city of Deerfield, County of Lake, State of Illinois.

2. Plaintiff's decedent, Aric Evan Tashjian McClure, at all times relevant was a resident of the city of Round Lake, County of Lake, State of Illinois.

3. On or about August 4, 2017, Plaintiff's decedent, Aric Evan Trashjian McClure, was a tenant of a residential apartment on the second floor of a mixed-use commercial property at 247 N. Cedar Lake Rd., Round Lake, Illinois (the "Subject Building".)

4. At and before the aforesaid time and place, Gurnee FD, 4580 Old Grand Avenue, Gurnee, IL 60031 was a Fire Department charged with the duty of protecting the public from the dangers of structure fires.

5. At all times relevant, Plaintiff's decedent, Aric Evan Tashjian McClure, was exercising due care for his own safety and the safety of others.

6. At approximately 4:15 PM on August 4, 2017, Plaintiff's decedent, Aric Evan Tashjian McClure, was in his second-story apartment taking a nap, his mother, Beatrice Charmian Tashjian, having recently left his apartment.

7. At the aforesaid time and place, a building fire was started at 247 N. Cedar Lake Rd., Round Lake, Illinois, by the building owner Scott Gothann and his son-in-law, Matthew Sheppard, who were performing plumbing repairs at said building.

8. It was the duty of this Defendant, at and before the aforesaid time and place, to refrain from willful and wanton conduct.

9. On and before August 4, 2017, this Defendant acted with an utter indifference to and/or conscious disregard for the safety of others in one or more of the following respects:

- a. In violation of and conscious disregard for its basic training and standard operating procedures for search and rescue, this Defendant failed to adequately assess which occupants of the Subject Building might still be in the Subject Building at the time of the fire;
- b. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge that Plaintiff's decedent, Aric Evan Tashjian McClure, had not been located and might still be in the burning Subject Building, this defendant failed to assess and investigate the area of the Subject Building where Plaintiff's decedent, Aric Evan Tashjian McClure, would most likely be located and was last seen, which was his second-story apartment;
- c. In violation of and conscious disregard for its basic training and standard operating procedures, this Defendant consciously disregarded the numerous and repeated statements by neighbors, from the decedent's

mother, Beatrice Charmian Tashjian, and other witnesses, that Plaintiff's decedent was unaccounted for, was last seen in his apartment and believed to still be trapped in his apartment on the second-story of the Subject Building, which was on fire;

- d. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform an adequate primary search of the Subject Building, and particularly the second story apartment rented by Plaintiff's decedent;
- e. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform a search of Plaintiff's decedent's second floor apartment from the exterior of the building by extending available ladders up to one or both of the second-story exterior windows, which provided direct access to the apartment occupied by Plaintiff's decedent;
- f. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information the Plaintiff's decedent was likely still located inside the burning Subject Building and specifically in his second-story apartment, this Defendant failed to search for Plaintiff's decedent from outside the building by extending

available ladders up to one or both of the exterior windows to his second-story apartment, by breaking the windows and using axle handles, pick poles and other equipment to sweep the apartment floor to search for Plaintiff's decedent;

- g. In violation of and conscious disregard for its basic training and standard operating procedures, this defendant intentionally, consciously, and recklessly completely disregarded the direct requests and pleas of Plaintiff decedent's mother, Beatrice Charmian Tashjian, to put a ladder up to the exterior window of Aric's second-story bedroom where Tashjian advised this Defendant and others that she had last seen Aric, and that he was taking a nap, and that she believed he was still in his bedroom, which was readily accessible from the exterior of the building by ladder at the time she requested that this Defendant search for her son from the exterior of the building; and
- h. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge and information that Plaintiff's decedent could not be located and more likely than not was still in the Subject Building, this Defendant failed to conduct a search of the entire building before leaving the scene on August 4, 2017.

10. If this Defendant had not been guilty of willful and wanton conduct in one or more of the respects set forth above, this Defendant would have searched and found Plaintiff's decedent in the bedroom of his second-story apartment and, more likely than not, rescued him and saved his life.

11. As a direct and proximate result of one or more of the aforesaid willful and wanton acts and/or omissions by this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, sustained injuries of a personal and pecuniary nature, which survive his death.

12. Aric Evan Tashjian McClure, left surviving him as his only heirs and next of kin, Lowell Patrick McClure, his father, Beatrice Charmian Tashjian, his mother, Alana Eileen McClure Tashjian, his sister, each of whom suffered the profound loss of his love, affection, care, attention, companionship, comfort, guidance and protection.

13. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois.

WHEREFORE, the Plaintiff, Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment for the wrongful death of Aric Evan Tashjian McClure against Defendant Gurnee Fire Department, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 24 - Wilful and Wanton – Survival Action)

(McClure v. Gurnee FD)

1 – 10 Plaintiff re-alleges each and every allegation contained in paragraphs 1 through 10 of Count 23, and hereby incorporates the same as paragraphs 1 through 10 of Count 24, as though fully set forth herein.

11. As a proximate result of one or more of the willful and wanton acts or omissions of this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, suffered

damages of a personal and permanency nature, including conscious pain and suffering, emotional distress, disability and had he lived, he would have been entitled to bring this action, and this action has survived his death.

12. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, and he brings this survival action pursuant to 735 ILCS 5/27-6.

WHEREFORE, the Plaintiff Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment against Defendant Gurnee Fire Department, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 25 – Willful and Wanton – Wrongful Death

(McClure v. Lake Forest FD)

1. Plaintiff at all times relevant has been a resident of the city of Deerfield, County of Lake, State of Illinois.

2. Plaintiff's decedent, Aric Evan Tashjian McClure, at all times relevant was a resident of the city of Round Lake, County of Lake, State of Illinois.

3. On or about August 4, 2017, Plaintiff's decedent, Aric Evan Trashjian McClure, was a tenant of a residential apartment on the second floor of a mixed-use commercial property at 247 N. Cedar Lake Rd., Round Lake, Illinois (the "Subject Building".)

4. At and before the aforesaid time and place, this Lake Forest FD, 255 W. Deerpath Road, Lake Forest, IL 60045 was a Fire Department charged with the duty of protecting the public from the dangers of structure fires.

5. At all times relevant, Plaintiff's decedent, Aric Evan Tashjian McClure, was exercising due care for his own safety and the safety of others.

6. At approximately 4:15 PM on August 4, 2017, Plaintiff's decedent, Aric Evan Tashjian McClure, was in his second-story apartment taking a nap, his mother, Beatrice Charmian Tashjian, having recently left his apartment.

7. At the aforesaid time and place, a building fire was started at 247 N. Cedar Lake Rd., Round Lake, Illinois, by the building owner Scott Gothann and his son-in-law, Matthew Sheppard, who were performing plumbing repairs at said building.

8. It was the duty of this Defendant, at and before the aforesaid time and place, to refrain from willful and wanton conduct.

9. On and before August 4, 2017, this Defendant acted with an utter indifference to and/or conscious disregard for the safety of others in one or more of the following respects:

- a. In violation of and conscious disregard for its basic training and standard operating procedures for search and rescue, this Defendant failed to adequately assess which occupants of the Subject Building might still be in the Subject Building at the time of the fire;

- b. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge that Plaintiff's decedent, Aric Evan Tashjian McClure, had not been located and might still be in the burning Subject Building, this defendant failed to assess and investigate the area of the Subject Building where Plaintiff's decedent, Aric Evan Tashjian McClure, would most likely be located and was last seen, which was his second-story apartment;
- c. In violation of and conscious disregard for its basic training and standard operating procedures, this Defendant consciously disregarded the numerous and repeated statements by neighbors, from the decedent's mother, Beatrice Charmian Tashjian, and other witnesses, that Plaintiff's decedent was unaccounted for, was last seen in his apartment and believed to still be trapped in his apartment on the second-story of the Subject Building, which was on fire;
- d. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform an adequate primary search of the Subject Building, and particularly the second story apartment rented by Plaintiff's decedent;
- e. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject

Building, this Defendant failed to perform a search of Plaintiff's decedent's second floor apartment from the exterior of the building by extending available ladders up to one or both of the second-story exterior windows, which provided direct access to the apartment occupied by Plaintiff's decedent;

- f. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information the Plaintiff's decedent was likely still located inside the burning Subject Building and specifically in his second-story apartment, this Defendant failed to search for Plaintiff's decedent from outside the building by extending available ladders up to one or both of the exterior windows to his second-story apartment, by breaking the windows and using axle handles, pick poles and other equipment to sweep the apartment floor to search for Plaintiff's decedent;
- g. In violation of and conscious disregard for its basic training and standard operating procedures, this defendant intentionally, consciously, and recklessly completely disregarded the direct requests and pleas of Plaintiff decedent's mother, Beatrice Charmian Tashjian, to put a ladder up to the exterior window of Aric's second-story bedroom where Tashjian advised this Defendant and others that she had last seen Aric, and that he was taking a nap, and that she believed he was still in his bedroom, which was readily accessible from the exterior of the building

by ladder at the time she requested that this Defendant search for her son from the exterior of the building; and

- h. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge and information that Plaintiff's decedent could not be located and more likely than not was still in the Subject Building, this Defendant failed to conduct a search of the entire building before leaving the scene on August 4, 2017.

10. If this Defendant had not been guilty of willful and wanton conduct in one or more of the respects set forth above, this Defendant would have searched and found Plaintiff's decedent in the bedroom of his second-story apartment and, more likely than not, rescued him and saved his life.

11. As a direct and proximate result of one or more of the aforesaid willful and wanton acts and/or omissions by this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, sustained injuries of a personal and pecuniary nature, which survive his death.

12. Aric Evan Tashjian McClure, left surviving him as his only heirs and next of kin, Lowell Patrick McClure, his father, Beatrice Charmian Tashjian, his mother, Alana Eileen McClure Tashjian, his sister, each of whom suffered the profound loss of his love, affection, care, attention, companionship, comfort, guidance and protection.

13. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois.

WHEREFORE, the Plaintiff, Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment for the wrongful death of Aric Evan Tashjian McClure against Defendant Lake Forest Fire Department, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 26 - Wilful and Wanton – Survival Action)
(McClure v. Lake Forest FD)

1 – 10 Plaintiff re-alleges each and every allegation contained in paragraphs 1 through 10 of Count 25, and hereby incorporates the same as paragraphs 1 through 10 of Count 26, as though fully set forth herein.

11. As a proximate result of one or more of the willful and wanton acts or omissions of this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, suffered damages of a personal and permanency nature, including conscious pain and suffering, emotional distress, disability and had he lived, he would have been entitled to bring this action, and this action has survived his death.

12. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, and he brings this survival action pursuant to 735 ILCS 5/27-6.

WHEREFORE, the Plaintiff Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment against

Defendant Lake Forest Fire Department, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 27 – Willful and Wanton – Wrongful Death
(McClure v. Lake Villa FD)

1. Plaintiff at all times relevant has been a resident of the city of Deerfield, County of Lake, State of Illinois.

2. Plaintiff's decedent, Aric Evan Tashjian McClure, at all times relevant was a resident of the city of Round Lake, County of Lake, State of Illinois.

3. On or about August 4, 2017, Plaintiff's decedent, Aric Evan Trashjian McClure, was a tenant of a residential apartment on the second floor of a mixed-use commercial property at 247 N. Cedar Lake Rd., Round Lake, Illinois (the "Subject Building".)

4. At and before the aforesaid time and place, Lake Villa FD, 68 E. Grand Avenue, Lake Villa, IL 60046 was a Fire Department charged with the duty of protecting the public from the dangers of structure fires.

5. At all times relevant, Plaintiff's decedent, Aric Evan Tashjian McClure, was exercising due care for his own safety and the safety of others.

6. At approximately 4:15 PM on August 4, 2017, Plaintiff's decedent, Aric Evan Tashjian McClure, was in his second-story apartment taking a nap, his mother, Beatrice Charmian Tashjian, having recently left his apartment.

7. At the aforesaid time and place, a building fire was started at 247 N. Cedar Lake Rd., Round Lake, Illinois, by the building owner Scott Gothann and his son-in-law, Matthew Sheppard, who were performing plumbing repairs at said building.

8. It was the duty of this Defendant, at and before the aforesaid time and place, to refrain from willful and wanton conduct.

9. On and before August 4, 2017, this Defendant acted with an utter indifference to and/or conscious disregard for the safety of others in one or more of the following respects:

- a. In violation of and conscious disregard for its basic training and standard operating procedures for search and rescue, this Defendant failed to adequately assess which occupants of the Subject Building might still be in the Subject Building at the time of the fire;
- b. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge that Plaintiff's decedent, Aric Evan Tashjian McClure, had not been located and might still be in the burning Subject Building, this defendant failed to assess and investigate the area of the Subject Building where Plaintiff's decedent, Aric Evan Tashjian McClure, would most likely be located and was last seen, which was his second-story apartment;
- c. In violation of and conscious disregard for its basic training and standard operating procedures, this Defendant consciously disregarded the numerous and repeated statements by neighbors, from the decedent's

mother, Beatrice Charmian Tashjian, and other witnesses, that Plaintiff's decedent was unaccounted for, was last seen in his apartment and believed to still be trapped in his apartment on the second-story of the Subject Building, which was on fire;

- d. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform an adequate primary search of the Subject Building, and particularly the second story apartment rented by Plaintiff's decedent;
- e. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform a search of Plaintiff's decedent's second floor apartment from the exterior of the building by extending available ladders up to one or both of the second-story exterior windows, which provided direct access to the apartment occupied by Plaintiff's decedent;
- f. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information the Plaintiff's decedent was likely still located inside the burning Subject Building and specifically in his second-story apartment, this Defendant failed to search for Plaintiff's decedent from outside the building by extending

available ladders up to one or both of the exterior windows to his second-story apartment, by breaking the windows and using axle handles, pick poles and other equipment to sweep the apartment floor to search for Plaintiff's decedent;

- g. In violation of and conscious disregard for its basic training and standard operating procedures, this defendant intentionally, consciously, and recklessly completely disregarded the direct requests and pleas of Plaintiff decedent's mother, Beatrice Charmian Tashjian, to put a ladder up to the exterior window of Aric's second-story bedroom where Tashjian advised this Defendant and others that she had last seen Aric, and that he was taking a nap, and that she believed he was still in his bedroom, which was readily accessible from the exterior of the building by ladder at the time she requested that this Defendant search for her son from the exterior of the building; and
- h. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge and information that Plaintiff's decedent could not be located and more likely than not was still in the Subject Building, this Defendant failed to conduct a search of the entire building before leaving the scene on August 4, 2017.

10. If this Defendant had not been guilty of willful and wanton conduct in one or more of the respects set forth above, this Defendant would have searched and found Plaintiff's decedent in the bedroom of his second-story apartment and, more likely than not, rescued him and saved his life.

11. As a direct and proximate result of one or more of the aforesaid willful and wanton acts and/or omissions by this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, sustained injuries of a personal and pecuniary nature, which survive his death.

12. Aric Evan Tashjian McClure, left surviving him as his only heirs and next of kin, Lowell Patrick McClure, his father, Beatrice Charmian Tashjian, his mother, Alana Eileen McClure Tashjian, his sister, each of whom suffered the profound loss of his love, affection, care, attention, companionship, comfort, guidance and protection.

13. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois.

WHEREFORE, the Plaintiff, Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment for the wrongful death of Aric Evan Tashjian McClure against Defendant Lake Villa Fire Protection District, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 28 - Wilful and Wanton – Survival Action)

(McClure v. Lake Villa FD)

1 – 10 Plaintiff re-alleges each and every allegation contained in paragraphs 1 through 10 of Count 27, and hereby incorporates the same as paragraphs 1 through 10 of Count 28, as though fully set forth herein.

11. As a proximate result of one or more of the willful and wanton acts or omissions of this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, suffered

damages of a personal and permanency nature, including conscious pain and suffering, emotional distress, disability and had he lived, he would have been entitled to bring this action, and this action has survived his death.

12. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, and he brings this survival action pursuant to 735 ILCS 5/27-6.

WHEREFORE, the Plaintiff Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment against Defendant Lake Villa Fire Protection District, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 29 – Willful and Wanton – Wrongful Death

(McClure v. Lake Zurich FD)

1. Plaintiff at all times relevant has been a resident of the city of Deerfield, County of Lake, State of Illinois.
2. Plaintiff's decedent, Aric Evan Tashjian McClure, at all times relevant was a resident of the city of Round Lake, County of Lake, State of Illinois.
3. On or about August 4, 2017, Plaintiff's decedent, Aric Evan Trashjian McClure, was a tenant of a residential apartment on the second floor of a mixed-use commercial property at 247 N. Cedar Lake Rd., Round Lake, Illinois (the "Subject Building".)

4. At and before the aforesaid time and place, Lake Zurich FD, 321 S. Buesching Road, Lake Zurich, IL 60047 was a Fire Department charged with the duty of protecting the public from the dangers of structure fires.

5. At all times relevant, Plaintiff's decedent, Aric Evan Tashjian McClure, was exercising due care for his own safety and the safety of others.

6. At approximately 4:15 PM on August 4, 2017, Plaintiff's decedent, Aric Evan Tashjian McClure, was in his second-story apartment taking a nap, his mother, Beatrice Charmian Tashjian, having recently left his apartment.

7. At the aforesaid time and place, a building fire was started at 247 N. Cedar Lake Rd., Round Lake, Illinois, by the building owner Scott Gothann and his son-in-law, Matthew Sheppard, who were performing plumbing repairs at said building.

8. It was the duty of this Defendant, at and before the aforesaid time and place, to refrain from willful and wanton conduct.

9. On and before August 4, 2017, this Defendant acted with an utter indifference to and/or conscious disregard for the safety of others in one or more of the following respects:

- a. In violation of and conscious disregard for its basic training and standard operating procedures for search and rescue, this Defendant failed to adequately assess which occupants of the Subject Building might still be in the Subject Building at the time of the fire;

- b. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge that Plaintiff's decedent, Aric Evan Tashjian McClure, had not been located and might still be in the burning Subject Building, this defendant failed to assess and investigate the area of the Subject Building where Plaintiff's decedent, Aric Evan Tashjian McClure, would most likely be located and was last seen, which was his second-story apartment;
- c. In violation of and conscious disregard for its basic training and standard operating procedures, this Defendant consciously disregarded the numerous and repeated statements by neighbors, from the decedent's mother, Beatrice Charmian Tashjian, and other witnesses, that Plaintiff's decedent was unaccounted for, was last seen in his apartment and believed to still be trapped in his apartment on the second-story of the Subject Building, which was on fire;
- d. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform an adequate primary search of the Subject Building, and particularly the second story apartment rented by Plaintiff's decedent;
- e. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject

Building, this Defendant failed to perform a search of Plaintiff's decedent's second floor apartment from the exterior of the building by extending available ladders up to one or both of the second-story exterior windows, which provided direct access to the apartment occupied by Plaintiff's decedent;

- f. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information the Plaintiff's decedent was likely still located inside the burning Subject Building and specifically in his second-story apartment, this Defendant failed to search for Plaintiff's decedent from outside the building by extending available ladders up to one or both of the exterior windows to his second-story apartment, by breaking the windows and using axle handles, pick poles and other equipment to sweep the apartment floor to search for Plaintiff's decedent;
- g. In violation of and conscious disregard for its basic training and standard operating procedures, this defendant intentionally, consciously, and recklessly completely disregarded the direct requests and pleas of Plaintiff decedent's mother, Beatrice Charmian Tashjian, to put a ladder up to the exterior window of Aric's second-story bedroom where Tashjian advised this Defendant and others that she had last seen Aric, and that he was taking a nap, and that she believed he was still in his bedroom, which was readily accessible from the exterior of the building

by ladder at the time she requested that this Defendant search for her son from the exterior of the building; and

- h. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge and information that Plaintiff's decedent could not be located and more likely than not was still in the Subject Building, this Defendant failed to conduct a search of the entire building before leaving the scene on August 4, 2017.

10. If this Defendant had not been guilty of willful and wanton conduct in one or more of the respects set forth above, this Defendant would have searched and found Plaintiff's decedent in the bedroom of his second-story apartment and, more likely than not, rescued him and saved his life.

11. As a direct and proximate result of one or more of the aforesaid willful and wanton acts and/or omissions by this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, sustained injuries of a personal and pecuniary nature, which survive his death.

12. Aric Evan Tashjian McClure, left surviving him as his only heirs and next of kin, Lowell Patrick McClure, his father, Beatrice Charmian Tashjian, his mother, Alana Eileen McClure Tashjian, his sister, each of whom suffered the profound loss of his love, affection, care, attention, companionship, comfort, guidance and protection.

13. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois.

WHEREFORE, the Plaintiff, Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment for the wrongful death of Aric Evan Tashjian McClure against Defendant Lake Zurich Fire Department, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 30 - Wilful and Wanton – Survival Action)
(McClure v. Lake Zurich FD)

1 – 10 Plaintiff re-alleges each and every allegation contained in paragraphs 1 through 10 of Count 29, and hereby incorporates the same as paragraphs 1 through 10 of Count 30, as though fully set forth herein.

11. As a proximate result of one or more of the willful and wanton acts or omissions of this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, suffered damages of a personal and permanency nature, including conscious pain and suffering, emotional distress, disability and had he lived, he would have been entitled to bring this action, and this action has survived his death.

12. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, and he brings this survival action pursuant to 735 ILCS 5/27-6.

WHEREFORE, the Plaintiff Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment against

Defendant Lake Zurich Fire and Rescue Department, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 31 – Willful and Wanton – Wrongful Death

(McClure v. Mundelein FD)

1. Plaintiff at all times relevant has been a resident of the city of Deerfield, County of Lake, State of Illinois.

2. Plaintiff's decedent, Aric Evan Tashjian McClure, at all times relevant was a resident of the city of Round Lake, County of Lake, State of Illinois.

3. On or about August 4, 2017, Plaintiff's decedent, Aric Evan Trashjian McClure, was a tenant of a residential apartment on the second floor of a mixed-use commercial property at 247 N. Cedar Lake Rd., Round Lake, Illinois (the "Subject Building".)

4. At and before the aforesaid time and place, Mundelein FD, 1000 N. Midlothian Road, Mundelein, IL 60068 was a Fire Department charged with the duty of protecting the public from the dangers of structure fires.

5. At all times relevant, Plaintiff's decedent, Aric Evan Tashjian McClure, was exercising due care for his own safety and the safety of others.

6. At approximately 4:15 PM on August 4, 2017, Plaintiff's decedent, Aric Evan Tashjian McClure, was in his second-story apartment taking a nap, his mother, Beatrice Charmian Tashjian, having recently left his apartment.

7. At the aforesaid time and place, a building fire was started at 247 N. Cedar Lake Rd., Round Lake, Illinois, by the building owner Scott Gothann and his son-in-law, Matthew Sheppard, who were performing plumbing repairs at said building.

8. It was the duty of this Defendant, at and before the aforesaid time and place, to refrain from willful and wanton conduct.

9. On and before August 4, 2017, this Defendant acted with an utter indifference to and/or conscious disregard for the safety of others in one or more of the following respects:

- a. In violation of and conscious disregard for its basic training and standard operating procedures for search and rescue, this Defendant failed to adequately assess which occupants of the Subject Building might still be in the Subject Building at the time of the fire;
- b. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge that Plaintiff's decedent, Aric Evan Tashjian McClure, had not been located and might still be in the burning Subject Building, this defendant failed to assess and investigate the area of the Subject Building where Plaintiff's decedent, Aric Evan Tashjian McClure, would most likely be located and was last seen, which was his second-story apartment;
- c. In violation of and conscious disregard for its basic training and standard operating procedures, this Defendant consciously disregarded the numerous and repeated statements by neighbors, from the decedent's

mother, Beatrice Charmian Tashjian, and other witnesses, that Plaintiff's decedent was unaccounted for, was last seen in his apartment and believed to still be trapped in his apartment on the second-story of the Subject Building, which was on fire;

- d. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform an adequate primary search of the Subject Building, and particularly the second story apartment rented by Plaintiff's decedent;
- e. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform a search of Plaintiff's decedent's second floor apartment from the exterior of the building by extending available ladders up to one or both of the second-story exterior windows, which provided direct access to the apartment occupied by Plaintiff's decedent;
- f. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information the Plaintiff's decedent was likely still located inside the burning Subject Building and specifically in his second-story apartment, this Defendant failed to search for Plaintiff's decedent from outside the building by extending

available ladders up to one or both of the exterior windows to his second-story apartment, by breaking the windows and using axle handles, pick poles and other equipment to sweep the apartment floor to search for Plaintiff's decedent;

- g. In violation of and conscious disregard for its basic training and standard operating procedures, this defendant intentionally, consciously, and recklessly completely disregarded the direct requests and pleas of Plaintiff decedent's mother, Beatrice Charmian Tashjian, to put a ladder up to the exterior window of Aric's second-story bedroom where Tashjian advised this Defendant and others that she had last seen Aric, and that he was taking a nap, and that she believed he was still in his bedroom, which was readily accessible from the exterior of the building by ladder at the time she requested that this Defendant search for her son from the exterior of the building; and
- h. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge and information that Plaintiff's decedent could not be located and more likely than not was still in the Subject Building, this Defendant failed to conduct a search of the entire building before leaving the scene on August 4, 2017.

10. If this Defendant had not been guilty of willful and wanton conduct in one or more of the respects set forth above, this Defendant would have searched and found Plaintiff's decedent in the bedroom of his second-story apartment and, more likely than not, rescued him and saved his life.

11. As a direct and proximate result of one or more of the aforesaid willful and wanton acts and/or omissions by this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, sustained injuries of a personal and pecuniary nature, which survive his death.

12. Aric Evan Tashjian McClure, left surviving him as his only heirs and next of kin, Lowell Patrick McClure, his father, Beatrice Charmian Tashjian, his mother, Alana Eileen McClure Tashjian, his sister, each of whom suffered the profound loss of his love, affection, care, attention, companionship, comfort, guidance and protection.

13. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois.

WHEREFORE, the Plaintiff, Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment against Defendant Mundelein Fire Department in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 32 - Wilful and Wanton – Survival Action)

(McClure v. Mundelein FD)

1 – 10 Plaintiff re-alleges each and every allegation contained in paragraphs 1 through 10 of Count 31, and hereby incorporates the same as paragraphs 1 through 10 of Count 32, as though fully set forth herein.

11. As a proximate result of one or more of the willful and wanton acts or omissions of this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, suffered damages of a personal and permanency nature, including conscious pain and suffering,

emotional distress, disability and had he lived, he would have been entitled to bring this action, and this action has survived his death.

12. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, and he brings this survival action pursuant to 735 ILCS 5/27-6.

WHEREFORE, the Plaintiff Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment against Defendant Mundelein Fire Department, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 33 – Willful and Wanton – Wrongful Death
(McClure v. Newport FPD)

1. Plaintiff at all times relevant has been a resident of the city of Deerfield, County of Lake, State of Illinois.

2. Plaintiff's decedent, Aric Evan Tashjian McClure, at all times relevant was a resident of the city of Round Lake, County of Lake, State of Illinois.

3. On or about August 4, 2017, Plaintiff's decedent, Aric Evan Trashjian McClure, was a tenant of a residential apartment on the second floor of a mixed-use commercial property at 247 N. Cedar Lake Rd., Round Lake, Illinois (the "Subject Building".)

4. At and before the aforesaid time and place, Newport FPD, 39010 Caroline Avenue, Wadsworth, IL 60083 was a Fire Department charged with the duty of protecting the public from the dangers of structure fires.

5. At all times relevant, Plaintiff's decedent, Aric Evan Tashjian McClure, was exercising due care for his own safety and the safety of others.

6. At approximately 4:15 PM on August 4, 2017, Plaintiff's decedent, Aric Evan Tashjian McClure, was in his second-story apartment taking a nap, his mother, Beatrice Charmian Tashjian, having recently left his apartment.

7. At the aforesaid time and place, a building fire was started at 247 N. Cedar Lake Rd., Round Lake, Illinois, by the building owner Scott Gothann and his son-in-law, Matthew Sheppard, who were performing plumbing repairs at said building.

8. It was the duty of this Defendant, at and before the aforesaid time and place, to refrain from willful and wanton conduct.

9. On and before August 4, 2017, this Defendant acted with an utter indifference to and/or conscious disregard for the safety of others in one or more of the following respects:

- a. In violation of and conscious disregard for its basic training and standard operating procedures for search and rescue, this Defendant failed to adequately assess which occupants of the Subject Building might still be in the Subject Building at the time of the fire;

- b. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge that Plaintiff's decedent, Aric Evan Tashjian McClure, had not been located and might still be in the burning Subject Building, this defendant failed to assess and investigate the area of the Subject Building where Plaintiff's decedent, Aric Evan Tashjian McClure, would most likely be located and was last seen, which was his second-story apartment;
- c. In violation of and conscious disregard for its basic training and standard operating procedures, this Defendant consciously disregarded the numerous and repeated statements by neighbors, from the decedent's mother, Beatrice Charmian Tashjian, and other witnesses, that Plaintiff's decedent was unaccounted for, was last seen in his apartment and believed to still be trapped in his apartment on the second-story of the Subject Building, which was on fire;
- d. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform an adequate primary search of the Subject Building, and particularly the second story apartment rented by Plaintiff's decedent;
- e. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject

Building, this Defendant failed to perform a search of Plaintiff's decedent's second floor apartment from the exterior of the building by extending available ladders up to one or both of the second-story exterior windows, which provided direct access to the apartment occupied by Plaintiff's decedent;

f. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information the Plaintiff's decedent was likely still located inside the burning Subject Building and specifically in his second-story apartment, this Defendant failed to search for Plaintiff's decedent from outside the building by extending available ladders up to one or both of the exterior windows to his second-story apartment, by breaking the windows and using axle handles, pick poles and other equipment to sweep the apartment floor to search for Plaintiff's decedent;

g. In violation of and conscious disregard for its basic training and standard operating procedures, this defendant intentionally, consciously, and recklessly completely disregarded the direct requests and pleas of Plaintiff decedent's mother, Beatrice Charmian Tashjian, to put a ladder up to the exterior window of Aric's second-story bedroom where Tashjian advised this Defendant and others that she had last seen Aric, and that he was taking a nap, and that she believed he was still in his bedroom, which was readily accessible from the exterior of the building

by ladder at the time she requested that this Defendant search for her son from the exterior of the building; and

- h. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge and information that Plaintiff's decedent could not be located and more likely than not was still in the Subject Building, this Defendant failed to conduct a search of the entire building before leaving the scene on August 4, 2017.

10. If this Defendant had not been guilty of willful and wanton conduct in one or more of the respects set forth above, this Defendant would have searched and found Plaintiff's decedent in the bedroom of his second-story apartment and, more likely than not, rescued him and saved his life.

11. As a direct and proximate result of one or more of the aforesaid willful and wanton acts and/or omissions by this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, sustained injuries of a personal and pecuniary nature, which survive his death.

12. Aric Evan Tashjian McClure, left surviving him as his only heirs and next of kin, Lowell Patrick McClure, his father, Beatrice Charmian Tashjian, his mother, Alana Eileen McClure Tashjian, his sister, each of whom suffered the profound loss of his love, affection, care, attention, companionship, comfort, guidance and protection.

13. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois.

WHEREFORE, the Plaintiff, Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment for the wrongful death of Aric Evan Tashjian McClure against Defendant Newport Fire Protection District, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 34 - Wilful and Wanton – Survival Action)
(McClure v. Newport FD)

1 – 10 Plaintiff re-alleges each and every allegation contained in paragraphs 1 through 10 of Count 33, and hereby incorporates the same as paragraphs 1 through 10 of Count 34, as though fully set forth herein.

11. As a proximate result of one or more of the willful and wanton acts or omissions of this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, suffered damages of a personal and permanency nature, including conscious pain and suffering, emotional distress, disability and had he lived, he would have been entitled to bring this action, and this action has survived his death.

12. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, and he brings this survival action pursuant to 735 ILCS 5/27-6.

WHEREFORE, the Plaintiff Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment against

Defendant Newport Fire Protection District, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 35– Willful and Wanton – Wrongful Death

(McClure v. Wauconda FD)

1. Plaintiff at all times relevant has been a resident of the city of Deerfield, County of Lake, State of Illinois.
2. Plaintiff's decedent, Aric Evan Tashjian McClure, at all times relevant was a resident of the city of Round Lake, County of Lake, State of Illinois.
3. On or about August 4, 2017, Plaintiff's decedent, Aric Evan Trashjian McClure, was a tenant of a residential apartment on the second floor of a mixed-use commercial property at 247 N. Cedar Lake Rd., Round Lake, Illinois (the "Subject Building".)
4. At and before the aforesaid time and place, Wauconda FD, 109 W. Liberty Street, Wauconda, IL 60084 was a Fire Department charged with the duty of protecting the public from the dangers of structure fires.
5. At all times relevant, Plaintiff's decedent, Aric Evan Tashjian McClure, was exercising due care for his own safety and the safety of others.
6. At approximately 4:15 PM on August 4, 2017, Plaintiff's decedent, Aric Evan Tashjian McClure, was in his second-story apartment taking a nap, his mother, Beatrice Charmian Tashjian, having recently left his apartment.

7. At the aforesaid time and place, a building fire was started at 247 N. Cedar Lake Rd., Round Lake, Illinois, by the building owner Scott Gothann and his son-in-law, Matthew Sheppard, who were performing plumbing repairs at said building.

8. It was the duty of this Defendant, at and before the aforesaid time and place, to refrain from willful and wanton conduct.

9. On and before August 4, 2017, this Defendant acted with an utter indifference to and/or conscious disregard for the safety of others in one or more of the following respects:

- a. In violation of and conscious disregard for its basic training and standard operating procedures for search and rescue, this Defendant failed to adequately assess which occupants of the Subject Building might still be in the Subject Building at the time of the fire;
- b. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge that Plaintiff's decedent, Aric Evan Tashjian McClure, had not been located and might still be in the burning Subject Building, this defendant failed to assess and investigate the area of the Subject Building where Plaintiff's decedent, Aric Evan Tashjian McClure, would most likely be located and was last seen, which was his second-story apartment;
- c. In violation of and conscious disregard for its basic training and standard operating procedures, this Defendant consciously disregarded the numerous and repeated statements by neighbors, from the decedent's

mother, Beatrice Charmian Tashjian, and other witnesses, that Plaintiff's decedent was unaccounted for, was last seen in his apartment and believed to still be trapped in his apartment on the second-story of the Subject Building, which was on fire;

- d. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform an adequate primary search of the Subject Building, and particularly the second story apartment rented by Plaintiff's decedent;
- e. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform a search of Plaintiff's decedent's second floor apartment from the exterior of the building by extending available ladders up to one or both of the second-story exterior windows, which provided direct access to the apartment occupied by Plaintiff's decedent;
- f. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information the Plaintiff's decedent was likely still located inside the burning Subject Building and specifically in his second-story apartment, this Defendant failed to search for Plaintiff's decedent from outside the building by extending

available ladders up to one or both of the exterior windows to his second-story apartment, by breaking the windows and using axle handles, pick poles and other equipment to sweep the apartment floor to search for Plaintiff's decedent;

- g. In violation of and conscious disregard for its basic training and standard operating procedures, this defendant intentionally, consciously, and recklessly completely disregarded the direct requests and pleas of Plaintiff decedent's mother, Beatrice Charmian Tashjian, to put a ladder up to the exterior window of Aric's second-story bedroom where Tashjian advised this Defendant and others that she had last seen Aric, and that he was taking a nap, and that she believed he was still in his bedroom, which was readily accessible from the exterior of the building by ladder at the time she requested that this Defendant search for her son from the exterior of the building; and
- h. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge and information that Plaintiff's decedent could not be located and more likely than not was still in the Subject Building, this Defendant failed to conduct a search of the entire building before leaving the scene on August 4, 2017.

10. If this Defendant had not been guilty of willful and wanton conduct in one or more of the respects set forth above, this Defendant would have searched and found Plaintiff's decedent in the bedroom of his second-story apartment and, more likely than not, rescued him and saved his life.

11. As a direct and proximate result of one or more of the aforesaid willful and wanton acts and/or omissions by this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, sustained injuries of a personal and pecuniary nature, which survive his death.

12. Aric Evan Tashjian McClure, left surviving him as his only heirs and next of kin, Lowell Patrick McClure, his father, Beatrice Charmian Tashjian, his mother, Alana Eileen McClure Tashjian, his sister, each of whom suffered the profound loss of his love, affection, care, attention, companionship, comfort, guidance and protection.

13. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois.

WHEREFORE, the Plaintiff, Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment for the wrongful death of Aric Evan Tashjian McClure against Defendant Wauconda Fire Protection District, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 36 - Wilful and Wanton – Survival Action)

(McClure v. Wauconda FD)

1 – 10 Plaintiff re-alleges each and every allegation contained in paragraphs 1 through 10 of Count 35, and hereby incorporates the same as paragraphs 1 through 10 of Count 36, as though fully set forth herein.

11. As a proximate result of one or more of the willful and wanton acts or omissions of this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, suffered

damages of a personal and permanency nature, including conscious pain and suffering, emotional distress, disability and had he lived, he would have been entitled to bring this action, and this action has survived his death.

12. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, and he brings this survival action pursuant to 735 ILCS 5/27-6.

WHEREFORE, the Plaintiff Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment against Defendant Wauconda Fire Department, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 37 – Willful and Wanton – Wrongful Death

(McClure v. Waukegan FD)

1. Plaintiff at all times relevant has been a resident of the city of Deerfield, County of Lake, State of Illinois.

2. Plaintiff's decedent, Aric Evan Tashjian McClure, at all times relevant was a resident of the city of Round Lake, County of Lake, State of Illinois.

3. On or about August 4, 2017, Plaintiff's decedent, Aric Evan Trashjian McClure, was a tenant of a residential apartment on the second floor of a mixed-use commercial property at 247 N. Cedar Lake Rd., Round Lake, Illinois (the "Subject Building".)

4. At and before the aforesaid time and place, Waukegan FD, 1101 Belvidere Street, Waukegan, IL 60085 was a Fire Department charged with the duty of protecting the public from the dangers of structure fires.

5. At all times relevant, Plaintiff's decedent, Aric Evan Tashjian McClure, was exercising due care for his own safety and the safety of others.

6. At approximately 4:15 PM on August 4, 2017, Plaintiff's decedent, Aric Evan Tashjian McClure, was in his second-story apartment taking a nap, his mother, Beatrice Charmian Tashjian, having recently left his apartment.

7. At the aforesaid time and place, a building fire was started at 247 N. Cedar Lake Rd., Round Lake, Illinois, by the building owner Scott Gothann and his son-in-law, Matthew Sheppard, who were performing plumbing repairs at said building.

8. It was the duty of this Defendant, at and before the aforesaid time and place, to refrain from willful and wanton conduct.

9. On and before August 4, 2017, this Defendant acted with an utter indifference to and/or conscious disregard for the safety of others in one or more of the following respects:

- a. In violation of and conscious disregard for its basic training and standard operating procedures for search and rescue, this Defendant failed to adequately assess which occupants of the Subject Building might still be in the Subject Building at the time of the fire;

- b. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge that Plaintiff's decedent, Aric Evan Tashjian McClure, had not been located and might still be in the burning Subject Building, this defendant failed to assess and investigate the area of the Subject Building where Plaintiff's decedent, Aric Evan Tashjian McClure, would most likely be located and was last seen, which was his second-story apartment;
- c. In violation of and conscious disregard for its basic training and standard operating procedures, this Defendant consciously disregarded the numerous and repeated statements by neighbors, from the decedent's mother, Beatrice Charmian Tashjian, and other witnesses, that Plaintiff's decedent was unaccounted for, was last seen in his apartment and believed to still be trapped in his apartment on the second-story of the Subject Building, which was on fire;
- d. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform an adequate primary search of the Subject Building, and particularly the second story apartment rented by Plaintiff's decedent;
- e. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject

Building, this Defendant failed to perform a search of Plaintiff's decedent's second floor apartment from the exterior of the building by extending available ladders up to one or both of the second-story exterior windows, which provided direct access to the apartment occupied by Plaintiff's decedent;

- f. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information the Plaintiff's decedent was likely still located inside the burning Subject Building and specifically in his second-story apartment, this Defendant failed to search for Plaintiff's decedent from outside the building by extending available ladders up to one or both of the exterior windows to his second-story apartment, by breaking the windows and using axle handles, pick poles and other equipment to sweep the apartment floor to search for Plaintiff's decedent;
- g. In violation of and conscious disregard for its basic training and standard operating procedures, this defendant intentionally, consciously, and recklessly completely disregarded the direct requests and pleas of Plaintiff decedent's mother, Beatrice Charmian Tashjian, to put a ladder up to the exterior window of Aric's second-story bedroom where Tashjian advised this Defendant and others that she had last seen Aric, and that he was taking a nap, and that she believed he was still in his bedroom, which was readily accessible from the exterior of the building

by ladder at the time she requested that this Defendant search for her son from the exterior of the building; and

- h. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge and information that Plaintiff's decedent could not be located and more likely than not was still in the Subject Building, this Defendant failed to conduct a search of the entire building before leaving the scene on August 4, 2017.

10. If this Defendant had not been guilty of willful and wanton conduct in one or more of the respects set forth above, this Defendant would have searched and found Plaintiff's decedent in the bedroom of his second-story apartment and, more likely than not, rescued him and saved his life.

11. As a direct and proximate result of one or more of the aforesaid willful and wanton acts and/or omissions by this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, sustained injuries of a personal and pecuniary nature, which survive his death.

12. Aric Evan Tashjian McClure, left surviving him as his only heirs and next of kin, Lowell Patrick McClure, his father, Beatrice Charmian Tashjian, his mother, Alana Eileen McClure Tashjian, his sister, each of whom suffered the profound loss of his love, affection, care, attention, companionship, comfort, guidance and protection.

13. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois.

WHEREFORE, the Plaintiff, Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment for the wrongful death of Aric Evan Tashjian McClure against Defendant Waukegan Fire Department in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 38 - Wilful and Wanton – Survival Action)

(McClure v. Waukegan FD)

1 – 10 Plaintiff re-alleges each and every allegation contained in paragraphs 1 through 10 of Count 37, and hereby incorporates the same as paragraphs 1 through 10 of Count 38, as though fully set forth herein.

11. As a proximate result of one or more of the willful and wanton acts or omissions of this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, suffered damages of a personal and permanency nature, including conscious pain and suffering, emotional distress, disability and had he lived, he would have been entitled to bring this action, and this action has survived his death.

12. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, and he brings this survival action pursuant to 735 ILCS 5/27-6.

WHEREFORE, the Plaintiff Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment against

Defendant Waukegan Fire Department, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 39 – Willful and Wanton – Wrongful Death

(McClure v. McHenry FD)

1. Plaintiff at all times relevant has been a resident of the city of Deerfield, County of Lake, State of Illinois.
2. Plaintiff's decedent, Aric Evan Tashjian McClure, at all times relevant was a resident of the city of Round Lake, County of Lake, State of Illinois.
3. On or about August 4, 2017, Plaintiff's decedent, Aric Evan Trashjian McClure, was a tenant of a residential apartment on the second floor of a mixed-use commercial property at 247 N. Cedar Lake Rd., Round Lake, Illinois (the "Subject Building".)
4. At and before the aforesaid time and place, McHenry Township FPD, 3610 W. Elm Street, McHenry, IL 60050 was a Fire Department charged with the duty of protecting the public from the dangers of structure fires.
5. At all times relevant, Plaintiff's decedent, Aric Evan Tashjian McClure, was exercising due care for his own safety and the safety of others.
6. At approximately 4:15 PM on August 4, 2017, Plaintiff's decedent, Aric Evan Tashjian McClure, was in his second-story apartment taking a nap, his mother, Beatrice Charmian Tashjian, having recently left his apartment.

7. At the aforesaid time and place, a building fire was started at 247 N. Cedar Lake Rd., Round Lake, Illinois, by the building owner Scott Gothann and his son-in-law, Matthew Sheppard, who were performing plumbing repairs at said building.

8. It was the duty of this Defendant, at and before the aforesaid time and place, to refrain from willful and wanton conduct.

9. On and before August 4, 2017, this Defendant acted with an utter indifference to and/or conscious disregard for the safety of others in one or more of the following respects:

- a. In violation of and conscious disregard for its basic training and standard operating procedures for search and rescue, this Defendant failed to adequately assess which occupants of the Subject Building might still be in the Subject Building at the time of the fire;
- b. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge that Plaintiff's decedent, Aric Evan Tashjian McClure, had not been located and might still be in the burning Subject Building, this defendant failed to assess and investigate the area of the Subject Building where Plaintiff's decedent, Aric Evan Tashjian McClure, would most likely be located and was last seen, which was his second-story apartment;
- c. In violation of and conscious disregard for its basic training and standard operating procedures, this Defendant consciously disregarded the numerous and repeated statements by neighbors, from the decedent's

mother, Beatrice Charmian Tashjian, and other witnesses, that Plaintiff's decedent was unaccounted for, was last seen in his apartment and believed to still be trapped in his apartment on the second-story of the Subject Building, which was on fire;

- d. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform an adequate primary search of the Subject Building, and particularly the second story apartment rented by Plaintiff's decedent;
- e. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform a search of Plaintiff's decedent's second floor apartment from the exterior of the building by extending available ladders up to one or both of the second-story exterior windows, which provided direct access to the apartment occupied by Plaintiff's decedent;
- f. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information the Plaintiff's decedent was likely still located inside the burning Subject Building and specifically in his second-story apartment, this Defendant failed to search for Plaintiff's decedent from outside the building by extending

available ladders up to one or both of the exterior windows to his second-story apartment, by breaking the windows and using axle handles, pick poles and other equipment to sweep the apartment floor to search for Plaintiff's decedent;

- g. In violation of and conscious disregard for its basic training and standard operating procedures, this defendant intentionally, consciously, and recklessly completely disregarded the direct requests and pleas of Plaintiff decedent's mother, Beatrice Charmian Tashjian, to put a ladder up to the exterior window of Aric's second-story bedroom where Tashjian advised this Defendant and others that she had last seen Aric, and that he was taking a nap, and that she believed he was still in his bedroom, which was readily accessible from the exterior of the building by ladder at the time she requested that this Defendant search for her son from the exterior of the building; and
- h. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge and information that Plaintiff's decedent could not be located and more likely than not was still in the Subject Building, this Defendant failed to conduct a search of the entire building before leaving the scene on August 4, 2017.

10. If this Defendant had not been guilty of willful and wanton conduct in one or more of the respects set forth above, this Defendant would have searched and found Plaintiff's decedent in the bedroom of his second-story apartment and, more likely than not, rescued him and saved his life.

11. As a direct and proximate result of one or more of the aforesaid willful and wanton acts and/or omissions by this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, sustained injuries of a personal and pecuniary nature, which survive his death.

12. Aric Evan Tashjian McClure, left surviving him as his only heirs and next of kin, Lowell Patrick McClure, his father, Beatrice Charmian Tashjian, his mother, Alana Eileen McClure Tashjian, his sister, each of whom suffered the profound loss of his love, affection, care, attention, companionship, comfort, guidance and protection.

13. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois.

WHEREFORE, the Plaintiff, Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment for the wrongful death of Aric Evan Tashjian McClure against Defendant McHenry Township Fire Protection District, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 40 - Wilful and Wanton – Survival Action)

(McClure v. McHenry FD)

1 – 10 Plaintiff re-alleges each and every allegation contained in paragraphs 1 through 10 of Count 39, and hereby incorporates the same as paragraphs 1 through 10 of Count 40, as though fully set forth herein.

11. As a proximate result of one or more of the willful and wanton acts or omissions of this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, suffered

damages of a personal and permanency nature, including conscious pain and suffering, emotional distress, disability and had he lived, he would have been entitled to bring this action, and this action has survived his death.

12. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, and he brings this survival action pursuant to 735 ILCS 5/27-6.

WHEREFORE, the Plaintiff Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment against Defendant McHenry Township Fire Protection District in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 41 – Willful and Wanton – Wrongful Death

(McClure v. Nunda FD)

1. Plaintiff at all times relevant has been a resident of the city of Deerfield, County of Lake, State of Illinois.

2. Plaintiff's decedent, Aric Evan Tashjian McClure, at all times relevant was a resident of the city of Round Lake, County of Lake, State of Illinois.

3. On or about August 4, 2017, Plaintiff's decedent, Aric Evan Trashjian McClure, was a tenant of a residential apartment on the second floor of a mixed-use commercial property at 247 N. Cedar Lake Rd., Round Lake, Illinois (the "Subject Building".)

4. At and before the aforesaid time and place, Nunda FD, 1713 IL Route 176, Crystal Lake, IL 60014 was a Fire Department charged with the duty of protecting the public from the dangers of structure fires.

5. At all times relevant, Plaintiff's decedent, Aric Evan Tashjian McClure, was exercising due care for his own safety and the safety of others.

6. At approximately 4:15 PM on August 4, 2017, Plaintiff's decedent, Aric Evan Tashjian McClure, was in his second-story apartment taking a nap, his mother, Beatrice Charmian Tashjian, having recently left his apartment.

7. At the aforesaid time and place, a building fire was started at 247 N. Cedar Lake Rd., Round Lake, Illinois, by the building owner Scott Gothann and his son-in-law, Matthew Sheppard, who were performing plumbing repairs at said building.

8. It was the duty of this Defendant, at and before the aforesaid time and place, to refrain from willful and wanton conduct.

9. On and before August 4, 2017, this Defendant acted with an utter indifference to and/or conscious disregard for the safety of others in one or more of the following respects:

- a. In violation of and conscious disregard for its basic training and standard operating procedures for search and rescue, this Defendant failed to adequately assess which occupants of the Subject Building might still be in the Subject Building at the time of the fire;

- b. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge that Plaintiff's decedent, Aric Evan Tashjian McClure, had not been located and might still be in the burning Subject Building, this defendant failed to assess and investigate the area of the Subject Building where Plaintiff's decedent, Aric Evan Tashjian McClure, would most likely be located and was last seen, which was his second-story apartment;
- c. In violation of and conscious disregard for its basic training and standard operating procedures, this Defendant consciously disregarded the numerous and repeated statements by neighbors, from the decedent's mother, Beatrice Charmian Tashjian, and other witnesses, that Plaintiff's decedent was unaccounted for, was last seen in his apartment and believed to still be trapped in his apartment on the second-story of the Subject Building, which was on fire;
- d. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform an adequate primary search of the Subject Building, and particularly the second story apartment rented by Plaintiff's decedent;
- e. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject

Building, this Defendant failed to perform a search of Plaintiff's decedent's second floor apartment from the exterior of the building by extending available ladders up to one or both of the second-story exterior windows, which provided direct access to the apartment occupied by Plaintiff's decedent;

- f. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information the Plaintiff's decedent was likely still located inside the burning Subject Building and specifically in his second-story apartment, this Defendant failed to search for Plaintiff's decedent from outside the building by extending available ladders up to one or both of the exterior windows to his second-story apartment, by breaking the windows and using axle handles, pick poles and other equipment to sweep the apartment floor to search for Plaintiff's decedent;
- g. In violation of and conscious disregard for its basic training and standard operating procedures, this defendant intentionally, consciously, and recklessly completely disregarded the direct requests and pleas of Plaintiff decedent's mother, Beatrice Charmian Tashjian, to put a ladder up to the exterior window of Aric's second-story bedroom where Tashjian advised this Defendant and others that she had last seen Aric, and that he was taking a nap, and that she believed he was still in his bedroom, which was readily accessible from the exterior of the building

by ladder at the time she requested that this Defendant search for her son from the exterior of the building; and

- h. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge and information that Plaintiff's decedent could not be located and more likely than not was still in the Subject Building, this Defendant failed to conduct a search of the entire building before leaving the scene on August 4, 2017.

10. If this Defendant had not been guilty of willful and wanton conduct in one or more of the respects set forth above, this Defendant would have searched and found Plaintiff's decedent in the bedroom of his second-story apartment and, more likely than not, rescued him and saved his life.

11. As a direct and proximate result of one or more of the aforesaid willful and wanton acts and/or omissions by this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, sustained injuries of a personal and pecuniary nature, which survive his death.

12. Aric Evan Tashjian McClure, left surviving him as his only heirs and next of kin, Lowell Patrick McClure, his father, Beatrice Charmian Tashjian, his mother, Alana Eileen McClure Tashjian, his sister, each of whom suffered the profound loss of his love, affection, care, attention, companionship, comfort, guidance and protection.

13. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois.

WHEREFORE, the Plaintiff, Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment for the wrongful death of Aric Evan Tashjian McClure against Defendant Nunda Rural Fire Protection District in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 42 - Wilful and Wanton – Survival Action)
(McClure v. Nunda FD)

1 – 10 Plaintiff re-alleges each and every allegation contained in paragraphs 1 through 10 of Count 41, and hereby incorporates the same as paragraphs 1 through 10 of Count 42, as though fully set forth herein.

11. As a proximate result of one or more of the willful and wanton acts or omissions of this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, suffered damages of a personal and permanency nature, including conscious pain and suffering, emotional distress, disability and had he lived, he would have been entitled to bring this action, and this action has survived his death.

12. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, and he brings this survival action pursuant to 735 ILCS 5/27-6.

WHEREFORE, the Plaintiff Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment against

Defendant Nunda Rural Fire Protection District, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 43 – Willful and Wanton – Wrongful Death
(McClure v. Spring Grove FD)

1. Plaintiff at all times relevant has been a resident of the city of Deerfield, County of Lake, State of Illinois.

2. Plaintiff's decedent, Aric Evan Tashjian McClure, at all times relevant was a resident of the city of Round Lake, County of Lake, State of Illinois.

3. On or about August 4, 2017, Plaintiff's decedent, Aric Evan Trashjian McClure, was a tenant of a residential apartment on the second floor of a mixed-use commercial property at 247 N. Cedar Lake Rd., Round Lake, Illinois (the "Subject Building".)

4. At and before the aforesaid time and place, Spring Grove FD, 8214 Richardson Road, Spring Grove, IL 60081 was a Fire Department charged with the duty of protecting the public from the dangers of structure fires.

5. At all times relevant, Plaintiff's decedent, Aric Evan Tashjian McClure, was exercising due care for his own safety and the safety of others.

6. At approximately 4:15 PM on August 4, 2017, Plaintiff's decedent, Aric Evan Tashjian McClure, was in his second-story apartment taking a nap, his mother, Beatrice Charmian Tashjian, having recently left his apartment.

7. At the aforesaid time and place, a building fire was started at 247 N. Cedar Lake Rd., Round Lake, Illinois, by the building owner Scott Gothann and his son-in-law, Matthew Sheppard, who were performing plumbing repairs at said building.

8. It was the duty of this Defendant, at and before the aforesaid time and place, to refrain from willful and wanton conduct.

9. On and before August 4, 2017, this Defendant acted with an utter indifference to and/or conscious disregard for the safety of others in one or more of the following respects:

- a. In violation of and conscious disregard for its basic training and standard operating procedures for search and rescue, this Defendant failed to adequately assess which occupants of the Subject Building might still be in the Subject Building at the time of the fire;
- b. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge that Plaintiff's decedent, Aric Evan Tashjian McClure, had not been located and might still be in the burning Subject Building, this defendant failed to assess and investigate the area of the Subject Building where Plaintiff's decedent, Aric Evan Tashjian McClure, would most likely be located and was last seen, which was his second-story apartment;
- c. In violation of and conscious disregard for its basic training and standard operating procedures, this Defendant consciously disregarded the numerous and repeated statements by neighbors, from the decedent's

mother, Beatrice Charmian Tashjian, and other witnesses, that Plaintiff's decedent was unaccounted for, was last seen in his apartment and believed to still be trapped in his apartment on the second-story of the Subject Building, which was on fire;

- d. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform an adequate primary search of the Subject Building, and particularly the second story apartment rented by Plaintiff's decedent;
- e. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform a search of Plaintiff's decedent's second floor apartment from the exterior of the building by extending available ladders up to one or both of the second-story exterior windows, which provided direct access to the apartment occupied by Plaintiff's decedent;
- f. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information the Plaintiff's decedent was likely still located inside the burning Subject Building and specifically in his second-story apartment, this Defendant failed to search for Plaintiff's decedent from outside the building by extending

available ladders up to one or both of the exterior windows to his second-story apartment, by breaking the windows and using axle handles, pick poles and other equipment to sweep the apartment floor to search for Plaintiff's decedent;

- g. In violation of and conscious disregard for its basic training and standard operating procedures, this defendant intentionally, consciously, and recklessly completely disregarded the direct requests and pleas of Plaintiff decedent's mother, Beatrice Charmian Tashjian, to put a ladder up to the exterior window of Aric's second-story bedroom where Tashjian advised this Defendant and others that she had last seen Aric, and that he was taking a nap, and that she believed he was still in his bedroom, which was readily accessible from the exterior of the building by ladder at the time she requested that this Defendant search for her son from the exterior of the building; and
- h. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge and information that Plaintiff's decedent could not be located and more likely than not was still in the Subject Building, this Defendant failed to conduct a search of the entire building before leaving the scene on August 4, 2017.

10. If this Defendant had not been guilty of willful and wanton conduct in one or more of the respects set forth above, this Defendant would have searched and found Plaintiff's decedent in the bedroom of his second-story apartment and, more likely than not, rescued him and saved his life.

11. As a direct and proximate result of one or more of the aforesaid willful and wanton acts and/or omissions by this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, sustained injuries of a personal and pecuniary nature, which survive his death.

12. Aric Evan Tashjian McClure, left surviving him as his only heirs and next of kin, Lowell Patrick McClure, his father, Beatrice Charmian Tashjian, his mother, Alana Eileen McClure Tashjian, his sister, each of whom suffered the profound loss of his love, affection, care, attention, companionship, comfort, guidance and protection.

13. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois.

WHEREFORE, the Plaintiff, Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment for the wrongful death of Aric Evan Tashjian McClure against Defendant Spring Grove Fire Protection District, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 44 - Wilful and Wanton – Survival Action)

(McClure v. Spring Grove FD)

1 – 10 Plaintiff re-alleges each and every allegation contained in paragraphs 1 through 10 of Count 43, and hereby incorporates the same as paragraphs 1 through 10 of Count 44, as though fully set forth herein.

11. As a proximate result of one or more of the willful and wanton acts or omissions of this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, suffered

damages of a personal and permanency nature, including conscious pain and suffering, emotional distress, disability and had he lived, he would have been entitled to bring this action, and this action has survived his death.

12. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, and he brings this survival action pursuant to 735 ILCS 5/27-6.

WHEREFORE, the Plaintiff Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment against Defendant Spring Grove Fire Protection District, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 45 – Willful and Wanton – Wrongful Death

(McClure v. Greg Formica)

1. Plaintiff at all times relevant has been a resident of the city of Deerfield, County of Lake, State of Illinois.

2. Plaintiff's decedent, Aric Evan Tashjian McClure, at all times relevant was a resident of the city of Round Lake, County of Lake, State of Illinois.

3. On or about August 4, 2017, Plaintiff's decedent, Aric Evan Trashjian McClure, was a tenant of a residential apartment on the second floor of a mixed-use commercial property at 247 N. Cedar Lake Rd., Round Lake, Illinois (the "Subject Building".)

4. At and before the aforesaid time and place, Greg Formica, was the chief, commander or other officer of the Greater Round Lake Fire Protection District and was charged with the duty of protecting the public from the dangers of structure fires, and with supervising, commanding, and overseeing the assignments and activities of the fire personnel at the scene of the fire at the Subject Building on August 4, 2017.

5. At all times relevant, Plaintiff's decedent, Aric Evan Tashjian McClure, was exercising due care for his own safety and the safety of others.

6. At approximately 4:15 PM on August 4, 2017, Plaintiff's decedent, Aric Evan Tashjian McClure, was in his second-story apartment taking a nap, his mother, Beatrice Charmian Tashjian, having recently left his apartment.

7. At the aforesaid time and place, a building fire was started at 247 N. Cedar Lake Rd., Round Lake, Illinois, by the building owner Scott Gothann and his son-in-law, Matthew Sheppard, who were performing plumbing repairs at said building.

8. It was the duty of this Defendant, at and before the aforesaid time and place, to refrain from willful and wanton conduct.

9. On and before August 4, 2017, this Defendant acted with an utter indifference to and/or conscious disregard for the safety of others in one or more of the following respects:

- a. In violation of and conscious disregard for its basic training and standard operating procedures for search and rescue, this Defendant failed to adequately assess which occupants of the Subject Building might still be in the Subject Building at the time of the fire;

- b. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge that Plaintiff's decedent, Aric Evan Tashjian McClure, had not been located and might still be in the burning Subject Building, this defendant failed to assess and investigate the area of the Subject Building where Plaintiff's decedent, Aric Evan Tashjian McClure, would most likely be located and was last seen, which was his second-story apartment;
- c. In violation of and conscious disregard for its basic training and standard operating procedures, this Defendant consciously disregarded the numerous and repeated statements by neighbors, from the decedent's mother, Beatrice Charmian Tashjian, and other witnesses, that Plaintiff's decedent was unaccounted for, was last seen in his apartment and believed to still be trapped in his apartment on the second-story of the Subject Building, which was on fire;
- d. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform an adequate primary search of the Subject Building, and particularly the second story apartment rented by Plaintiff's decedent;
- e. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject

Building, this Defendant failed to perform a search of Plaintiff's decedent's second floor apartment from the exterior of the building by extending available ladders up to one or both of the second-story exterior windows, which provided direct access to the apartment occupied by Plaintiff's decedent;

- f. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information the Plaintiff's decedent was likely still located inside the burning Subject Building and specifically in his second-story apartment, this Defendant failed to search for Plaintiff's decedent from outside the building by extending available ladders up to one or both of the exterior windows to his second-story apartment, by breaking the windows and using axle handles, pick poles and other equipment to sweep the apartment floor to search for Plaintiff's decedent;
- g. In violation of and conscious disregard for its basic training and standard operating procedures, this defendant intentionally, consciously, and recklessly completely disregarded the direct requests and pleas of Plaintiff decedent's mother, Beatrice Charmian Tashjian, to put a ladder up to the exterior window of Aric's second-story bedroom where Tashjian advised this Defendant and others that she had last seen Aric, and that he was taking a nap, and that she believed he was still in his bedroom, which was readily accessible from the exterior of the building

by ladder at the time she requested that this Defendant search for her son from the exterior of the building; and

- h. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge and information that Plaintiff's decedent could not be located and more likely than not was still in the Subject Building, this Defendant failed to conduct a search of the entire building before leaving the scene on August 4, 2017.

10. If this Defendant had not been guilty of willful and wanton conduct in one or more of the respects set forth above, this Defendant would have searched and found Plaintiff's decedent in the bedroom of his second-story apartment and, more likely than not, rescued him and saved his life.

11. As a direct and proximate result of one or more of the aforesaid willful and wanton acts and/or omissions by this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, sustained injuries of a personal and pecuniary nature, which survive his death.

12. Aric Evan Tashjian McClure, left surviving him as his only heirs and next of kin, Lowell Patrick McClure, his father, Beatrice Charmian Tashjian, his mother, Alana Eileen McClure Tashjian, his sister, each of whom suffered the profound loss of his love, affection, care, attention, companionship, comfort, guidance and protection.

13. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois.

WHEREFORE, the Plaintiff, Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment for the wrongful death of Aric Evan Tashjian McClure against Defendant Fire Chief Greg Formica, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 46 - Wilful and Wanton – Survival Action)

(McClure v. Greg Formica)

1 – 10 Plaintiff re-alleges each and every allegation contained in paragraphs 1 through 10 of Count 45, and hereby incorporates the same as paragraphs 1 through 10 of Count 46, as though fully set forth herein.

11. As a proximate result of one or more of the willful and wanton acts or omissions of this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, suffered damages of a personal and permanency nature, including conscious pain and suffering, emotional distress, disability and had he lived, he would have been entitled to bring this action, and this action has survived his death.

12. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, and he brings this survival action pursuant to 735 ILCS 5/27-6.

WHEREFORE, the Plaintiff Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment against

Defendant Fire Chief Greg Formica, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 47 – Willful and Wanton – Wrongful Death
(McClure v. Tony Breuscher)

1. Plaintiff at all times relevant has been a resident of the city of Deerfield, County of Lake, State of Illinois.

2. Plaintiff's decedent, Aric Evan Tashjian McClure, at all times relevant was a resident of the city of Round Lake, County of Lake, State of Illinois.

3. On or about August 4, 2017, Plaintiff's decedent, Aric Evan Trashjian McClure, was a tenant of a residential apartment on the second floor of a mixed-use commercial property at 247 N. Cedar Lake Rd., Round Lake, Illinois (the "Subject Building".)

4. At and before the aforesaid time and place, Tony Breuscher was the chief, commander or other officer of the Greater Round Lake Fire Protection District charged with the duty of protecting the public from the dangers of structure fires, and with supervising, commanding and overseeing the assignments and activities of the fire personnel at the scene of the fire at the Subject Building on August 4, 2017.

5. At all times relevant, Plaintiff's decedent, Aric Evan Tashjian McClure, was exercising due care for his own safety and the safety of others.

6. At approximately 4:15 PM on August 4, 2017, Plaintiff's decedent, Aric Evan Tashjian McClure, was in his second-story apartment taking a nap, his mother, Beatrice Charmian Tashjian, having recently left his apartment.

7. At the aforesaid time and place, a building fire was started at 247 N. Cedar Lake Rd., Round Lake, Illinois, by the building owner Scott Gothann and his son-in-law, Matthew Sheppard, who were performing plumbing repairs at said building.

8. It was the duty of this Defendant, at and before the aforesaid time and place, to refrain from willful and wanton conduct.

9. On and before August 4, 2017, this Defendant acted with an utter indifference to and/or conscious disregard for the safety of others in one or more of the following respects:

- a. In violation of and conscious disregard for its basic training and standard operating procedures for search and rescue, this Defendant failed to adequately assess which occupants of the Subject Building might still be in the Subject Building at the time of the fire;
- b. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge that Plaintiff's decedent, Aric Evan Tashjian McClure, had not been located and might still be in the burning Subject Building, this defendant failed to assess and investigate the area of the Subject Building where Plaintiff's decedent, Aric Evan Tashjian McClure, would most likely be located and was last seen, which was his second-story apartment;
- c. In violation of and conscious disregard for its basic training and standard operating procedures, this Defendant consciously disregarded the numerous and repeated statements by neighbors, from the decedent's

mother, Beatrice Charmian Tashjian, and other witnesses, that Plaintiff's decedent was unaccounted for, was last seen in his apartment and believed to still be trapped in his apartment on the second-story of the Subject Building, which was on fire;

- d. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform an adequate primary search of the Subject Building, and particularly the second story apartment rented by Plaintiff's decedent;
- e. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information that Plaintiff's decedent was likely still located inside the burning Subject Building, this Defendant failed to perform a search of Plaintiff's decedent's second floor apartment from the exterior of the building by extending available ladders up to one or both of the second-story exterior windows, which provided direct access to the apartment occupied by Plaintiff's decedent;
- f. In violation of and conscious disregard for its basic training and standard operating procedures, and with knowledge and information the Plaintiff's decedent was likely still located inside the burning Subject Building and specifically in his second-story apartment, this Defendant failed to search for Plaintiff's decedent from outside the building by extending

available ladders up to one or both of the exterior windows to his second-story apartment, by breaking the windows and using axle handles, pick poles and other equipment to sweep the apartment floor to search for Plaintiff's decedent;

- g. In violation of and conscious disregard for its basic training and standard operating procedures, this defendant intentionally, consciously, and recklessly completely disregarded the direct requests and pleas of Plaintiff decedent's mother, Beatrice Charmian Tashjian, to put a ladder up to the exterior window of Aric's second-story bedroom where Tashjian advised this Defendant and others that she had last seen Aric, and that he was taking a nap, and that she believed he was still in his bedroom, which was readily accessible from the exterior of the building by ladder at the time she requested that this Defendant search for her son from the exterior of the building; and
- h. In violation of and conscious disregard for its basic training and standard operating procedures, with knowledge and information that Plaintiff's decedent could not be located and more likely than not was still in the Subject Building, this Defendant failed to conduct a search of the entire building before leaving the scene on August 4, 2017.

10. If this Defendant had not been guilty of willful and wanton conduct in one or more of the respects set forth above, this Defendant would have searched and found Plaintiff's decedent in the bedroom of his second-story apartment and, more likely than not, rescued him and saved his life.

11. As a direct and proximate result of one or more of the aforesaid willful and wanton acts and/or omissions by this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, sustained injuries of a personal and pecuniary nature, which survive his death.

12. Aric Evan Tashjian McClure, left surviving him as his only heirs and next of kin, Lowell Patrick McClure, his father, Beatrice Charmian Tashjian, his mother, Alana Eileen McClure Tashjian, his sister, each of whom suffered the profound loss of his love, affection, care, attention, companionship, comfort, guidance and protection.

13. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois.

WHEREFORE, the Plaintiff, Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment for the wrongful death of Aric Evan Tashjian McClure against Defendant Commander Tony Breuscher, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 48 - Wilful and Wanton – Survival Action)

(McClure v. Tony Breuscher)

1 – 10 Plaintiff re-alleges each and every allegation contained in paragraphs 1 through 10 of Count 47, and hereby incorporates the same as paragraphs 1 through 10 of Count 48, as though fully set forth herein.

11. As a proximate result of one or more of the willful and wanton acts or omissions of this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, suffered

damages of a personal and permanency nature, including conscious pain and suffering, emotional distress, disability and had he lived, he would have been entitled to bring this action, and this action has survived his death.

12. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, and he brings this survival action pursuant to 735 ILCS 5/27-6.

WHEREFORE, the Plaintiff Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment against Defendant Commander Tony Breuscher in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 49 – Negligence – Wrongful Death

(McClure v. Scott Gothann)

1. Plaintiff at all times relevant has been a resident of the city of Deerfield, County of Lake, State of Illinois.

2. Plaintiff's decedent, Aric Evan Tashjian McClure, at all times relevant was a resident of the city of Round Lake, County of Lake, State of Illinois.

3. On or about August 4, 2017, Plaintiff's decedent, Aric Evan Trashjian McClure, was a tenant of a residential apartment on the second floor of a mixed-use commercial property at 247 N. Cedar Lake Rd., Round Lake, Illinois (the "Subject Building".)

4. At and before the aforesaid time and place, Scott Gothann, 3477 N. Long Avenue, Ingleside, IL 60041 was the owner or operator of the Subject Building and

performing plumbing repairs on the Subject Building, and as such, owed a duty of ordinary care to Plaintiff's decedent and others in the Subject Building.

5. At all times relevant, Plaintiff's decedent, Aric Evan Tashjian McClure, was exercising due care for his own safety and the safety of others.

6. At approximately 4:15 PM on August 4, 2017, Plaintiff's decedent, Aric Evan Tashjian McClure, was in his second-story apartment taking a nap, his mother, Beatrice Charmian Tashjian, having recently left his apartment.

7. At the aforesaid time and place, a building fire was started at 247 N. Cedar Lake Rd., Round Lake, Illinois, by the building owner Scott Gothann and his son-in-law, Matthew Sheppard, who were performing plumbing repairs at said building.

8. At the aforesaid time and place, this Defendant was guilty of one or more of the following negligent acts and/or omissions:

- a. Negligently and carelessly failed to properly and safely perform the plumbing repairs at the Subject Building;
- b. Negligently and carelessly failed to utilize proper safety equipment in performing the plumbing repairs at the Subject Building;
- c. Otherwise acted in a careless and negligent manner.

9. As a direct and proximate result of one or more of the aforesaid negligent acts and/or omissions by this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, sustained injuries of a personal and pecuniary nature, which survive his death.

10. Aric Evan Tashjian McClure, left surviving him as his only heirs and next of kin, Lowell Patrick McClure, his father, Beatrice Charmian Tashjian, his mother, Alana Eileen McClure Tashjian, his sister, each of whom suffered the profound loss of his love, affection, care, attention, companionship, comfort, guidance and protection.

11. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois.

WHEREFORE, the Plaintiff, Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment for the wrongful death of Aric Evan Tashjian McClure against Defendant Scott Gothann, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 50 – Negligence Survival Action)

(McClure v. Scott Gothann)

1 – 9 Plaintiff re-alleges each and every allegation contained in paragraphs 1 through 9 of Count 49, and hereby incorporates the same as paragraphs 1 through 9 of Count 50, as though fully set forth herein.

10. As a proximate result of one or more of the negligent acts or omissions of this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, suffered damages of a personal and permanency nature, including conscious pain and suffering, emotional distress, disability and had he lived, he would have been entitled to bring this action, and this action has survived his death.

11. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, and he brings this survival action pursuant to 735 ILCS 5/27-6.

WHEREFORE, the Plaintiff Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment against Defendant Scott Gothann, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 51 – Negligence – Wrongful Death

(McClure v. Matthew Shepphard)

1. Plaintiff at all times relevant has been a resident of the city of Deerfield, County of Lake, State of Illinois.

2. Plaintiff's decedent, Aric Evan Tashjian McClure, at all times relevant was a resident of the city of Round Lake, County of Lake, State of Illinois.

3. On or about August 4, 2017, Plaintiff's decedent, Aric Evan Trashjian McClure, was a tenant of a residential apartment on the second floor of a mixed-use commercial property at 247 N. Cedar Lake Rd., Round Lake, Illinois (the "Subject Building".)

4. At and before the aforesaid time and place, Matthew Shepphard, 34777 N. Long Avenue, Ingleside, IL 60041 was the operator of the Subject Building and performing plumbing repairs on the Subject Building, and as such, owed a duty of ordinary care to Plaintiff's decedent and others in the Subject Building.

5. At all times relevant, Plaintiff's decedent, Aric Evan Tashjian McClure, was exercising due care for his own safety and the safety of others.

6. At approximately 4:15 PM on August 4, 2017, Plaintiff's decedent, Aric Evan Tashjian McClure, was in his second-story apartment taking a nap, his mother, Beatrice Charmian Tashjian, having recently left his apartment.

7. At the aforesaid time and place, a building fire was started at 247 N. Cedar Lake Rd., Round Lake, Illinois, by the building owner Scott Gothann and his son-in-law, Matthew Sheppard, who were performing plumbing repairs at said building.

8. At the aforesaid time and place, this Defendant was guilty of one or more of the following negligent acts and/or omissions:

- a. Negligently and carelessly failed to properly and safely perform the plumbing repairs at the Subject Building;
- b. Negligently and carelessly failed to utilize proper safety equipment in performing the plumbing repairs at the Subject Building;
- c. Otherwise acted in a careless and negligent manner.

9. As a direct and proximate result of one or more of the aforesaid negligent acts and/or omissions by this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, sustained injuries of a personal and pecuniary nature, which survive his death.

10. Aric Evan Tashjian McClure, left surviving him as his only heirs and next of kin, Lowell Patrick McClure, his father, Beatrice Charmian Tashjian, his mother, Alana

Eileen McClure Tashjian, his sister, each of whom suffered the profound loss of his love, affection, care, attention, companionship, comfort, guidance and protection.

11. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois.

WHEREFORE, the Plaintiff, Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment for the wrongful death of Aric Evan Tashjian McClure against Defendant Matthew Sheppard, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

COUNT 52 – Negligence Survival Action)
(McClure v. Matthew Sheppard)

1 – 9 Plaintiff re-alleges each and every allegation contained in paragraphs 1 through 9 of Count 51, and hereby incorporates the same as paragraphs 1 through 9 of Count 52, as though fully set forth herein.

10. As a proximate result of one or more of the negligent acts or omissions of this Defendant, Plaintiff's decedent, Aric Evan Tashjian McClure, suffered damages of a personal and permanency nature, including conscious pain and suffering, emotional distress, disability and had he lived, he would have been entitled to bring this action, and this action has survived his death.

11. The Plaintiff, Lowell Patrick McClure, is the duly appointed Independent Administrator of the Estate of Aric Evan Tashjian McClure, deceased, by an order

appointing him in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, and he brings this survival action pursuant to 735 ILCS 5/27-6.

WHEREFORE, the Plaintiff Lowell Patrick McClure, as Independent Administrator of the Estate of, Aric Evan Tashjian McClure, deceased, demands judgment against Defendant Matthew Sheppard, in an amount in excess of the jurisdictional limits of the Nineteenth Judicial Circuit, Lake County, Law Division.

Dated this 2ND day of August, 2018.



Ronald F. Wittmeyer, Jr.
Attorney for Lowell Patrick McClure, as
Independent Administrator of the Estate of Aric
Evan Tashjian McClure, deceased

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