

**IN THE STATE COURT FOR GWINNETT COUNTY  
STATE OF GEORGIA**

**VANESSA WILLIAMS and ANGELA  
MOSLEY as the Surviving Children of  
JACQUELINE CREWS CARTER and as  
Personal Representatives of the Estate of  
JACQUELINE CREWS CARTER**

*And*

**KAREN THOMAS as Surviving Spouse of  
ISAIAH THOMAS, and KISHA  
HARAWAY as Personal Representative of  
the Estate of ISAIAH THOMAS**

*And*

**VAUGHN HASSAN as the Surviving Child  
of CARLOTTA McINTOSH and as  
Personal Representative of the Estate of  
CARLOTTA McINTOSH**

*And*

**THOMAS TUCKER as the Surviving Child  
of CYNTHIA GIBBS and as Personal  
Representative of the Estate of CYNTHIA  
GIBBS**

*And*

**ZELDA JOHNSON, Individually and as the  
Surviving Spouse of WILLIAM JOHNSON,  
JR.**

*And*

**ZELDA JOHNSON and LISA AUSTIN as  
Executrixes of the Estate of QUEEN  
WELCH**

*And*

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**ELIZABETH HOUSTON as the Surviving  
Spouse of CHARLES L. HOUSTON**

*And*

**REGINA BRINSON, MARSHA  
ARMSTRONG, JOE YOUNG, JOANN  
ROSS, YVONNE BROCKINGTON,  
DIANNA MEDLEY BLOODWORTH AND  
RAYMOND BLOODWORTH, H/W,  
BERTHA McKNIGHT, ERICA JETER,  
PEARL DAVIS, PAUL LeBLANC,  
OPHELIA GRANT, BEVERLY SIMS AND  
IRVIN JONES, H/W, JUNIPER  
DiGIOVANNI, GRADY ANDERSON,  
PAMELA GROVNER, THEODORSIA  
RUBENSTEIN, KYLE ALEXANDER  
BAILEY, ALEXANDER HENDERSON,  
REGINALD HALL, IREGENE  
GROVNER, JR., BOBBY GROVNER,  
BARBIE BROOKSHER, YVONNE  
JACKSON GROVNER, LINDA DAVID,  
KATRENA ALEXANDER, HEATHER  
HOUSTON-MEEKS, THOMASA AKINS,  
JENNIFER BLOCKER, ERIKA  
LeCOUNTE, SABREENA VULLOCK  
LABRAN, ABEED LABRAN, JANICE  
CARROL, MARY VERONYCA  
MATHEWS, KIMBERLY WOOD,  
Individually and as Next Friend of RILEY  
WOOD and HAILEY WOOD, LATONYA  
WOOD, SUSIE WOOD, GEORGE  
FRANCIS, and DAVID MICHAEL WOOD**

*Plaintiffs*

v.

**STEVENS & WILKINSON, INC.;  
STEVENS & WILKINSON GA, INC.;  
CENTENNIAL CONTRACTORS  
ENTERPRISES, INC.; EMC  
ENGINEERING SERVICES, INC.; and  
CRESCENT EQUIPMENT CO., INC.  
D/B/A CRESCENT MARINE ACCESS**

*Defendants*

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## **COMPLAINT FOR DAMAGES**

COME NOW, Plaintiffs, Vanessa Williams and Angela Mosley, as the Surviving Children of Jacqueline Crews Carter, and as Personal Representatives of the Estate of Jacqueline Crews Carter, Karen Thomas as Surviving Spouse of Isaiah Thomas, and Kisha Haraway as Administrator of the Estate of Isaiah Thomas, Vaughn Hassan as the Surviving Child of Carlotta McIntosh and as Personal Representative of the Estate of Carlotta McIntosh, Thomas Tucker as the Surviving Child of Cynthia Gibbs and as Personal Representative of the Estate of Cynthia Gibbs, Zelda Johnson, Individually, and as the Surviving Spouse of William Johnson, Jr., Zelda Johnson and Lisa Austin as the Executrixes of the Estate of Queen Welch, Elizabeth Houston as the Surviving Spouse of Charles L. Houston, Regina Brinson, Marsha Armstrong, Joe Young, Joann Ross, Yvonne Brockington, Dianna Medley Bloodworth and Raymond Bloodworth, h/w, Bertha McKnight, Erica Jeter, Pearl Davis, Paul LeBlanc, Ophelia Grant, Beverly Sims and Irvin Jones, h/w, Juniper DiGiovanni, Grady Anderson, Pamela Grovner, Theodorsia Rubenstein, Kyle Alexander Bailey, Alexander Henderson, Reginald Hall, Irene Grovner, Jr., Bobby Grovner, Barbie Brooksher, Yvonne Jackson Grovner, Linda David, Katrena Alexander, Heather Houston-Meeks, Thomasa Akins, Jennifer Blocker, Erika LeCounte, Sabreena Vullock Labran, Abeed Labran, Janice Carroll, Mary Veronyca Mathews, Kimberly Wood, Individually and as Next Friend of Riley Wood and Hailey Wood, Latonya Wood, Susie Wood, George Francis, and David Michael Wood (collectively, "Plaintiffs"), and make and file this complaint against Defendants, Stevens & Wilkinson, Inc., Stevens & Wilkinson GA, Inc., Centennial Contractors Enterprises, Inc., EMC Engineering Services, Inc., and Crescent Equipment Co., Inc. d/b/a Crescent Marine Access, and showing this Honorable Court as follows:

## **INTRODUCTION**

1. On October 19, 2024, seven innocent people tragically lost their lives and dozens were injured when an 80-foot gangway at the Sapelo Island Marsh Landing Dock suffered a catastrophic structural failure and collapsed, sending over twenty people plunging into the strong tidal water laden with razor sharp oyster shells.

2. The victims fought for their lives, clinging to floatation devices thrown from the nearby ferry, grasping for the outstretched hands of rescuers, and pleading for help. Many of those who were sent plummeting into the water were elderly, limited in mobility, and unable to save themselves.

3. The subject 80-foot gangway was installed at the Sapelo Island Marsh Landing Dock as part of a large-scale rehabilitation project that involved complete replacement of the docks, gangways, and attendant structures at both the Sapelo Island Marsh Landing Dock and the Meridian Dock during the 2019-2022 timeframe.

4. The gangway that catastrophically failed and caused this unfathomable devastation and loss of life was horrifically designed, poorly constructed, and destined to fail, and it never should have been installed at Sapelo Island.

5. The subject 80-foot gangway was installed at Sapelo Island despite the sheer and alarming incompetence with which it was designed and constructed because Defendants utterly failed to ensure that the gangway design was checked, verified, and approved by engineering professionals to confirm it would be able to withstand the expected loads and safely hold people.

6. Upon information and belief, Defendants permitted the subject gangway to be installed at Sapelo Island even though the gangway manufacturer never provided its calculations

showing the gangway was able to safely hold the required load and even though no engineer ever approved the design for construction and installation.

7. Even without engineering approval, the subject 80-foot gangway was so poorly designed and constructed that any competent construction professional should have recognized the flimsy and unstable nature of the gangway and its poor build quality during installation procedures and sounded the alarm.

8. Defendants' dramatic and shocking violation of their basic responsibilities culminated on October 19, 2024, when the gangway failed and collapsed as Plaintiffs and others were attempting to board the mainland-bound ferry.

9. This tragedy was easily preventable had it not been for Defendants' negligence, recklessness, and outright abdication of their important responsibilities with respect to ensuring the safety of the subject gangway.





## **PARTIES AND JURISDICTION**

### **A. Plaintiffs**

10. Plaintiffs, Vanessa Williams and Angela Mosley, are the surviving children of Jacqueline Crews Carter, who died on October 19, 2024 as a result of the subject gangway collapse. Jacqueline Crews Carter did not leave behind a surviving spouse. Pursuant to O.C.G.A. § 51-4-2, the surviving children are the proper party to bring the wrongful death claims asserted in this lawsuit for the death of their mother.

11. Plaintiffs, Vanessa Williams and Angela Mosley, are the lawfully appointed Personal Representatives of the Estate of Jacqueline Crews Carter pursuant to an Order of Appointment issued by Circuit Court for Duval County, Florida, Probate Division, on January 27, 2025. Plaintiffs brings this lawsuit in their capacity as the Personal Representatives of the Estate to recover all damages belonging to the Estate for the claims asserted in this lawsuit.

12. Plaintiff, Karen Thomas, is the surviving spouse of Isaiah Thomas, who died on October 19, 2024 as a result of the subject gangway collapse. In addition to Plaintiff, Karen Thomas, Isaiah Thomas leaves behind three children, Kisha Haraway, Jeffrey Thomas, and Michael Winston. Pursuant to O.C.G.A. § 51-4-2, the surviving spouse is the proper party to

bring the wrongful death claims asserted in this lawsuit for the death of her spouse and father of Kisha Haraway, Jeffrey Thomas, and Michael Winston.

**13.** Plaintiff, Kisha Haraway, is the lawfully appointed Personal Representative of the Estate of Isaiah Thomas pursuant to Letters of Administration issued by Circuit Court for Duval County, Florida, Probate Division, on March 20, 2025. She brings this lawsuit in her capacity as the Personal Representative of the Estate to recover all damages belonging to the Estate for the claims asserted in this lawsuit.

**14.** Plaintiff, Vaughn Hassan, is the surviving child of Carlotta McIntosh, who died on October 19, 2024 as a result of the subject gangway collapse. Carlotta McIntosh did not leave behind a surviving spouse. Pursuant to O.C.G.A. § 51-4-2, the surviving child is the proper party to bring the wrongful death claims asserted in this lawsuit for the death of his mother.

**15.** Plaintiff, Vaughn Hassan, is the lawfully appointed Personal Representative of the Estate of Carlotta McIntosh pursuant to Letters of Administration issued by Circuit Court for Duval County, Florida, Probate Division, on April 8, 2025. He brings this lawsuit in his capacity as the Personal Representative of the Estate to recover all damages belonging to the Estate for the claims asserted in this lawsuit.

**16.** Plaintiff, Thomas Tucker, is the surviving child of Cynthia Gibbs, who died on October 19, 2024 as a result of the subject gangway collapse. Cynthia Gibbs did not leave behind a surviving spouse. Pursuant to O.C.G.A. § 51-4-2, the surviving child is the proper party to bring the wrongful death claims asserted in this lawsuit for the death of his mother.

**17.** Plaintiff, Thomas Tucker, is the lawfully appointed Personal Representative of the Estate of Cynthia Gibbs pursuant to Letters of Administration issued by Circuit Court for Duval County, Florida, Probate Division, on February 10, 2025. He brings this lawsuit in his capacity as

the Personal Representative of the Estate to recover all damages belonging to the Estate for the claims asserted in this lawsuit.

**18.** Plaintiff, Zelda Johnson, is the surviving spouse of William Johnson, Jr., who died on October 19, 2024 as a result of the subject gangway collapse. In addition to Plaintiff, William Johnson leaves behind two children, William Johnson III and Alaina Johnson. Pursuant to O.C.G.A. § 51-4-2, the surviving spouse is the proper party to bring the wrongful death claims asserted in this lawsuit for the death of her spouse. Plaintiff, Zelda Johnson, was also present at the time of the gangway collapse and fell into the water, and she brings all claims for damages that she is allowed to recover under the law for her own damages.

**19.** Plaintiffs, Zelda Johnson and Lisa Austin, are the lawfully appointed Executrixes of the Estate of Queen Welch pursuant to Letters Testamentary issued by the Probate Court of Fulton County on May 15, 2025. Queen Welch did not leave behind a spouse, children, or parents. As a result, pursuant to O.C.G.A. § 51-4-5, Zelda Johnson and Lisa Austin, in their capacities as the Executrixes of the Estate of Queen Welch, are the proper parties to bring the wrongful death claims for the full value of the life of Queen Welch. They also bring this lawsuit to recover all other damages belonging to the Estate, including claims for pre-death pain and suffering.

**20.** Plaintiff, Elizabeth Houston, is a resident of the State of Georgia, and she is the surviving spouse of Charles L. Houston, who died on October 19, 2024, as a result of the subject gangway collapse. Pursuant to O.C.G.A. § 51-4-2, the surviving spouse is the proper party to bring the wrongful death claims asserted in this lawsuit for the death of her husband.

**21.** Plaintiff, Regina Brinson, is a resident of the State of Florida who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. Plaintiff, Regina Brinson, brings this lawsuit to recover all damages



available under the law for the injuries and damages she has suffered and/or will suffer as a result of the subject gangway collapse.

**22.** Plaintiff, Marsha Armstrong, is a resident of the State of Georgia who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. Plaintiff, Marsha Armstrong, brings this lawsuit to recover all damages available under the law for the injuries and damages she has suffered and/or will suffer as a result of the subject gangway collapse.

**23.** Plaintiff, Joe Young, is a resident of the State of Georgia who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. Plaintiff, Joe Young, brings this lawsuit to recover all damages available under the law for the injuries and damages he has suffered and/or will suffer as a result of the subject gangway collapse.

**24.** Plaintiff, Joann Ross, is a resident of the State of Georgia who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. Plaintiff, Joann Ross, brings this lawsuit to recover all damages available under the law for the injuries and damages she has suffered and/or will suffer as a result of the subject gangway collapse.

**25.** Plaintiff, Yvonne Brockington, is a resident of the State of Florida who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. Plaintiff, Yvonne Brockington, brings this lawsuit to recover all damages available under the law for the injuries and damages she has suffered and/or will suffer as a result of the subject gangway collapse.

**26.** Plaintiff, Diana Medley Bloodworth, is a resident of the State of Georgia who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. Plaintiff, Diana Medley Bloodworth, brings this lawsuit to recover all damages available under the law for the injuries and damages she has suffered and/or will suffer as a result of the subject gangway collapse.

**27.** Plaintiff, Raymond Bloodworth, is a resident of the State of Georgia who at all times relevant hereto was the legal spouse of Plaintiff, Diana Medley Bloodworth. Plaintiff, Raymond Bloodworth, brings this lawsuit for all damages available for his loss of consortium in relation to his spouse, Plaintiff, Diana Medley Bloodworth, arising out of the injuries and damages she has suffered and/or will suffer as a result of the subject gangway collapse.

**28.** Plaintiff, Bertha McKnight, is a resident of the State of Florida who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. Plaintiff, Bertha McKnight, brings this lawsuit to recover all damages available under the law for the injuries and damages she has suffered and/or will suffer as a result of the subject gangway collapse.

**29.** Plaintiff, Erica Jeter, is a resident of the State of Florida who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. Plaintiff, Erica Jeter, brings this lawsuit to recover all damages available under the law for the injuries and damages she has suffered and/or will suffer as a result of the subject gangway collapse.

**30.** Plaintiff, Pearl Davis, is a resident of the State of Florida who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. Plaintiff, Pearl Davis, brings this lawsuit to recover all damages available under

the law for the injuries and damages she has suffered and/or will suffer as a result of the subject gangway collapse.

**31.** Plaintiff, Paul LeBlanc, is a resident of the State of Florida who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. Plaintiff, Paul LeBlanc, brings this lawsuit to recover all damages available under the law for the injuries and damages he has suffered and/or will suffer as a result of the subject gangway collapse.

**32.** Plaintiff, Ophelia Grant, is a resident of the State of Georgia who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. Plaintiff, Ophelia Grant, brings this lawsuit to recover all damages available under the law for the injuries and damages she has suffered and/or will suffer as a result of the subject gangway collapse.

**33.** Plaintiff, Beverly Sims, is a resident of the State of South Carolina who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. Plaintiff, Beverly Sims, brings this lawsuit to recover all damages available under the law for the injuries and damages she has suffered and/or will suffer as a result of the subject gangway collapse. Further, at all times relevant hereto Plaintiff, Beverly Sims, was the lawful spouse of Plaintiff, Irvin Jones, and also brings this lawsuit for all damages available for her loss of consortium in relation to her spouse, Plaintiff, Irvin Jones, arising out of the injuries and damages he has suffered and/or will suffer as a result of the subject gangway collapse.

**34.** Plaintiff, Irvin Jones, is a resident of the State of South Carolina, who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. Plaintiff, Irvin Jones, brings this lawsuit to recover all damages

available under the law for the injuries and damages he has suffered and/or will suffer as a result of the subject gangway collapse. Further, at all times relevant hereto, Plaintiff, Irvin Jones, was the lawful spouse of Plaintiff, Beverly Sims, and also brings this lawsuit for all damages available for his loss of consortium in relation to his spouse, Plaintiff, Beverly Sims, arising out of the injuries and damages she has suffered and/or will suffer as a result of the subject gangway collapse.

**35.** Plaintiff, Juniper DiGiovanni, is a resident of the State of Florida who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. Plaintiff, Juniper DiGiovanni, brings this lawsuit to recover all damages available under the law for the injuries and damages she has suffered and/or will suffer as a result of the subject gangway collapse.

**36.** Plaintiff, Grady Anderson, is a resident of the State of Georgia who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. Plaintiff, Grady Anderson, brings this lawsuit to recover all damages available under the law for the injuries and damages he has suffered and/or will suffer as a result of the subject gangway collapse.

**37.** Plaintiff, Pamela Grovner, is a resident of the State of Georgia who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. Plaintiff, Pamela Grovner, brings this lawsuit to recover all damages available under the law for the injuries and damages she has suffered and/or will suffer as a result of the subject gangway collapse.

**38.** Plaintiff, Theodorsia Rubenstein, is a resident of the State of Georgia who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. Plaintiff, Theodorsia Rubenstein, brings this lawsuit to recover all

damages available under the law for the injuries and damages she has suffered and/or will suffer as a result of the subject gangway collapse.

**39.** Plaintiff, Kyle Alexander Bailey, is a resident of the State of Georgia who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. Plaintiff, Kyle Alexander Bailey, brings this lawsuit to recover all damages available under the law for the injuries and damages he has suffered and/or will suffer as a result of the subject gangway collapse.

**40.** Plaintiff, Alexander Henderson, is a resident of the State of Georgia who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. Plaintiff, Alexander Henderson, brings this lawsuit to recover all damages available under the law for the injuries and damages he has suffered and/or will suffer as a result of the subject gangway collapse.

**41.** Plaintiff, Reginald Hall, is a resident of the State of Georgia who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. Plaintiff, Reginald Hall, brings this lawsuit to recover all damages available under the law for the injuries and damages he has suffered and/or will suffer as a result of the subject gangway collapse.

**42.** Plaintiff, Iregene Grovner, Jr., is a resident of the State of Georgia who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. Plaintiff, Iregene Grovner, Jr., brings this lawsuit to recover all damages available under the law for the injuries and damages he has suffered and/or will suffer as a result of the subject gangway collapse.

**43.** Plaintiff, Bobby Grovner, is a resident of the State of Georgia who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. Plaintiff, Bobby Grovner, brings this lawsuit to recover all damages available under the law for the injuries and damages he has suffered and/or will suffer as a result of the subject gangway collapse.

**44.** Plaintiff, Barbie Brooksher, is a resident of the State of Florida who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. Plaintiff, Barbie Brooksher, brings this lawsuit to recover all damages available under the law for the injuries and damages she has suffered and/or will suffer as a result of the subject gangway collapse.

**45.** Plaintiff, Yvonne Jackson Grovner, is a resident of the State of Georgia who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. Plaintiff, Yvonne Jackson Grovner, brings this lawsuit to recover all damages available under the law for the injuries and damages she has suffered and/or will suffer as a result of the subject gangway collapse.

**46.** Plaintiff, Linda David, is a resident of the State of Georgia who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. Plaintiff, Linda David, brings this lawsuit to recover all damages available under the law for the injuries and damages she has suffered and/or will suffer as a result of the subject gangway collapse.

**47.** Plaintiff, Katrena Alexander, is a resident of the State of Florida who was a caretaker for decedent, Isaiah Thomas, and as such has suffered significant psychological and emotional injuries with physical manifestation as a direct result of the death of Isaiah Thomas on

October 19, 2024. Plaintiff, Katrena Alexander, brings this lawsuit to recover all damages available under the law for the injuries and damages she has suffered and/or will suffer as a result thereof.

**48.** Plaintiff, Heather Houston-Meeks, is a resident of the State of Florida who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. Plaintiff, Heather Houston-Meeks, brings this lawsuit to recover all damages available under the law for the injuries and damages she has suffered and/or will suffer as a result of the subject gangway collapse.

**49.** Plaintiff, Thomasa Akins, is a resident of the State of Georgia who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. Plaintiff, Thomasa Akins, brings this lawsuit to recover all damages available under the law for the injuries and damages she has suffered and/or will suffer as a result of the subject gangway collapse.

**50.** Plaintiff, Jennifer Blocker, is a resident of the State of Georgia who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. Plaintiff, Jennifer Blocker, brings this lawsuit to recover all damages available under the law for the injuries and damages she has suffered and/or will suffer as a result of the subject gangway collapse.

**51.** Plaintiff, Erika LeCounte, is a resident of the State of Georgia who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. Plaintiff, Erika LeCounte, brings this lawsuit to recover all damages available under the law for the injuries and damages she has suffered and/or will suffer as a result of the subject gangway collapse.

**52.** Plaintiff, Sabreena Vullock Labran, is a resident of the State of Georgia who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. She brings this lawsuit to recover all damages available under the law for the injuries and damages she has suffered and/or will suffer as a result of the subject gangway collapse.

**53.** Plaintiff, Abeed Labran, is a resident of the State of Georgia who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. He brings this lawsuit to recover all damages available under the law for the injuries and damages he has suffered and/or will suffer as a result of the subject gangway collapse

**54.** Plaintiff, Janice Carroll, is a resident of the State of Georgia who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. She brings this lawsuit to recover all damages available under the law for the injuries and damages she has suffered and/or will suffer as a result of the subject gangway collapse.

**55.** Plaintiff, Mary Veronyca Mathews, is a resident of the State of Georgia who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. She brings this lawsuit to recover all damages available under the law for the injuries and damages she has suffered and/or will suffer as a result of the subject gangway collapse.

**56.** Plaintiff, Kimberly Wood, is a resident of the State of Georgia who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. She brings this lawsuit (individually and as Next Friend of her



daughters, Riley Wood and Hailey Wood) to recover all damages available under the law for the injuries and damages she and her children have suffered and/or will suffer as a result of the subject gangway collapse.

**57.** Plaintiff, LaTonya Wood, is a resident of the State of Georgia who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. She brings this lawsuit to recover all damages available under the law for the injuries and damages she has suffered and/or will suffer as a result of the subject gangway collapse.

**58.** Plaintiff, Susie Wood, is a resident of the State of Georgia who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. She brings this lawsuit to recover all damages available under the law for the injuries and damages she has suffered and/or will suffer as a result of the subject gangway collapse.

**59.** Plaintiff, George Francis, is a resident of the State of Georgia who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. He brings this lawsuit to recover all damages available under the law for the injuries and damages he has suffered and/or will suffer as a result of the subject gangway collapse.

**60.** Plaintiff, David Michael Wood, is a resident of the State of Georgia who suffered devastating physical, psychological, and emotional injuries as a result of the subject gangway collapse on October 19, 2024. He brings this lawsuit to recover all damages available under the law for the injuries and damages he has suffered and/or will suffer as a result of the subject gangway collapse.

**B. Defendants**

**61.** Defendant, Stevens & Wilkinson, Inc., is a Georgia corporation authorized to transact business in Georgia with its principal place of business located at 100 Peachtree Street, NW, Suite 2500, Atlanta, Fulton County, Georgia, 30303. Defendant, Stevens & Wilkinson, Inc., may be served with process on its registered agent, Vincent J. Lafitte, 100 Peachtree Street, NW, Suite 2500, Atlanta, Fulton County, Georgia, 30303.

**62.** At all times relevant hereto, Defendant, Stevens & Wilkinson, Inc., was acting by and through its employees, agents, and/or servants who were acting within the course and scope of their employment, agency, and/or service for Stevens & Wilkinson, Inc. and may thus be held liable for all of the acts and/or omissions of its employees, agents, and/or servants pursuant to the doctrine of respondeat superior.

**63.** Defendant, Stevens & Wilkinson GA, Inc. is a Georgia corporation authorized to transact business in Georgia with its principal place of business located at 100 Peachtree Street, NW, Suite 2500, Atlanta, Fulton County, Georgia, 30303. Defendant, Stevens & Wilkinson GA, Inc., may be served with process on its registered agent, Vincent J. Lafitte, 100 Peachtree Street, NW, Suite 2500, Atlanta, Fulton County, Georgia, 30303.

**64.** At all times relevant hereto, Defendant, Stevens & Wilkinson GA, Inc., was acting by and through its employees, agents, and/or servants who were acting within the course and scope of their employment, agency, and/or service for Stevens & Wilkinson GA, Inc. and may thus be held liable for all of the acts and/or omissions of its employees, agents, and/or servants pursuant to the doctrine of respondeat superior.

**65.** For purposes of this Complaint, Defendants, Stevens & Wilkinson, Inc. and Stevens & Wilkinson GA, Inc. shall be collectively referred to as Defendant, “Stevens & Wilkinson.”

**66.** Defendant, Centennial Contractors Enterprises, Inc. (hereinafter Defendant “Centennial”), is a Virginia corporation authorized to transact business in Georgia with its principal place of business located at 11111 Sunset Hills Road, Suite 350, Reston, Virginia 20190. Defendant, Centennial, may be served with process on its registered agent, CT Corporation System, 289 S Culver Street, Lawrenceville, Gwinnett County, Georgia 30046.

**67.** At all times relevant hereto, Defendant, Centennial, was acting by and through its employees, agents, and/or servants who were acting within the course and scope of their employment, agency, and/or service for Centennial and may thus be held liable for all of the acts and/or omissions of its employees, agents, and/or servants pursuant to the doctrine of respondeat superior.

**68.** Defendant, EMC Engineering Services, Inc. (hereinafter Defendant “EMC Engineering”) is a Georgia corporation authorized to transact business in Georgia, with its principal place of business located at 27 Chatham Center South, Suite A, Savannah, Chatham County, Georgia 31405. Defendant, EMC Engineering, may be served with process on its registered agent, Charles Perry, 27 Chatham Center South, Suite A, Savannah, Chatham County, Georgia 31405.

**69.** At all times relevant hereto, Defendant, EMC Engineering, was acting by and through its employees, agents, and/or servants who were acting within the course and scope of their employment, agency, and/or service for EMC Engineering and may thus be held liable for all of the acts and/or omissions of its employees, agents, and/or servants pursuant to the doctrine of respondeat superior.

**70.** Defendant, Crescent Equipment Co., Inc. d/b/a Crescent Marine Access (hereinafter Defendant “Crescent”), is a Georgia corporation authorized to transact business in

Georgia with its principal place of business located at PO Box 155, Crescent, McIntosh County, Georgia 31304. Defendant, Crescent, may be served with process on its registered agent, J. Revis Barrow, 2112 Johnson Road, N.E., Townsend, McIntosh County, Georgia 31331.

71. At all times relevant hereto, Defendant, Crescent, was acting by and through its employees, agents, and/or servants who were acting within the course and scope of their employment, agency, and/or service for Crescent and may thus be held liable for all of the acts and/or omissions of its employees, agents, and/or servants pursuant to the doctrine of respondeat superior.

### **FACTS**

#### **A. The Tragic Gangway Collapse on October 19, 2024**

72. On October 19, 2024, over seven hundred people gathered on Sapelo Island for Cultural Day, an annual celebration of the Gullah Geechee community, history, and culture. The Gullah Geechee are descendants of enslaved West and Central Africans brought to work plantations in early America's lower Atlantic states.

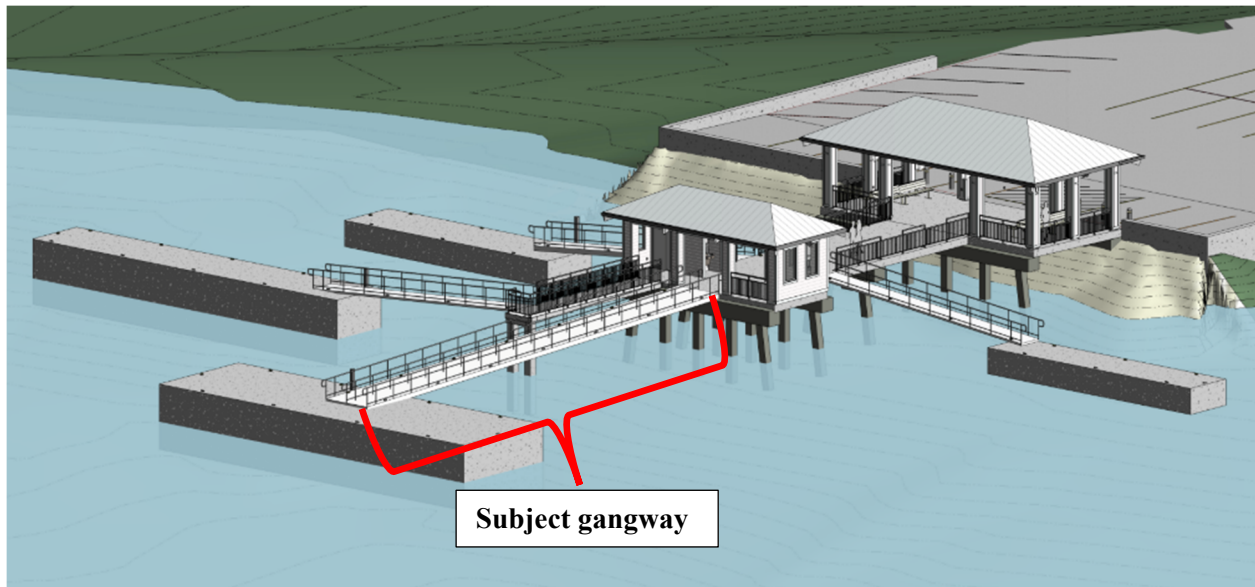
73. The Gullah Geechee people have fought to proudly maintain their unique culture through a strong sense of family and community and sought to celebrate and share that culture through its annual celebration on Sapelo Island.

74. The only means to travel to and from Sapelo Island for Cultural Day was by ferry operated by the Georgia Department of Natural Resources (hereinafter "DNR") that sailed between the visitor center at the Meridian Landing Dock in Darien, Georgia, and the Marsh Landing Dock on Sapelo Island.

75. In order to go disembark or aboard the DNR ferry at Sapelo Island, people were required to use a large, 80-foot-long aluminum gangways that spanned between the fixed pavilion and the floating dock.



Subject gangway, pre-collapse



Subject gangway

*Architectural rendering of Sapelo Island Marsh Landing Dock*

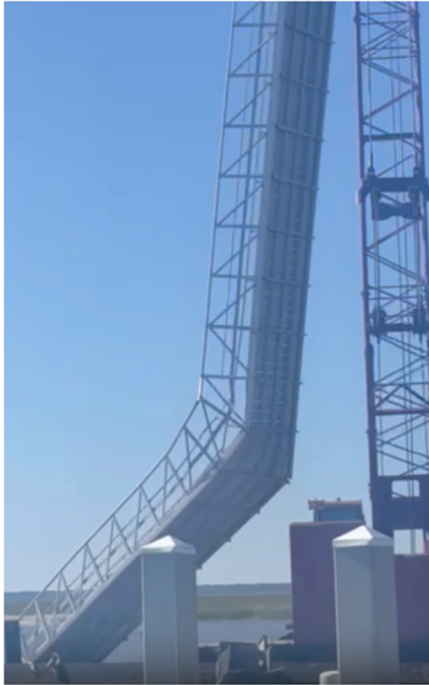
76. As guests were attempting to leave Cultural Day, at approximately 4:30 p.m., and traversing the 80-foot-long gangway towards the floating dock to the awaiting DNR ferry, unfathomable devastation struck when the subject gangway suffered a catastrophic structural

collapse, sending approximately twenty people, including Plaintiffs, plunging into the strong tidal water laden with razor sharp oyster shells.

77. The victims fought for their lives, clinging to floatation devices thrown from the nearby ferry, grasping for the outstretched hands of rescuers, and pleading for help. Many of those who were sent plummeting into the water were elderly, limited in mobility, and unable to save themselves.

78. Seven people tragically drowned, including Jacqueline Crews Carter, Isaiah Thomas, Carlotta McIntosh, Cynthia Gibbs, Charles L. Houston, William Johnson, Jr., and Queen Welch. Decedents' families will live the rest of their lives knowing their loved ones' final moments alive were consumed by fear and unconscionable suffering.

79. Several others, including Plaintiffs named herein, suffered severe and life-threatening physical injuries, and although they were lucky to escape this calamity with their lives, they will forever suffer from the physical injuries they sustained as well as the unending psychological and emotional torment caused by experiencing this traumatic incident and, in many cases, witnessing their family, friends, and community members succumb to this preventable tragedy.



*Gangway being removed from water post-collapse*



**80.** Had the subject gangway been properly and safely designed and constructed, there is no question it would have easily withstood the loads it was subjected to at the time of the collapse. Indeed, following the collapse, DNR posted on its incident information website<sup>1</sup> that the technical specifications for the subject gangway required it to be designed for a 100 pound per square foot live load, which given the size and dimensions of the gangway, it was “specified to be designed, constructed, and installed to withstand an evenly distributed load of 64,000 pounds” which “would equate to 320 persons.”

**81.** In reality, the subject gangway was under designed by many orders of magnitude, poorly constructed, and incapable of safely withstanding even a fraction of the specified and required live load.

**82.** Given the horrendously inadequate design and construction of the subject gangway, it was only a matter of time before tragedy struck and this gangway failed.

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<sup>1</sup> <https://gadnr.org/SapeloIncident>

**B. The Origins of the Newly Constructed Sapelo Island Marsh Landing Dock and Gangways**

**83.** In late 2015, several residents of Sapelo Island filed a lawsuit against McIntosh County, the DNR, and several other State of Georgia actors (the “State Defendants”) in the United States District Court for the Southern District of Georgia, Brunswick Division, captioned *Shirley Grant, as personal representative of the Estate of Sarah Francis Drayton, et al. v. McIntosh County, et al.*, 2:16-CV-00053-RSB-BWC, alleging discrimination on the basis of race and disability.

**84.** A settlement was reached in the aforementioned lawsuit in 2020.

**85.** As part of the Settlement Agreement dated October 19, 2020, the State Defendants were required to complete two phases of repairs to the docks serving Sapelo Island, with the first phase of repairs involving the Marsh Landing dock and satisfying the following terms set forth in the Settlement Agreement:

- Completely demolish the existing dock facility at Marsh Landing, including the existing fixed wooden pier, covered waiting pavilion, aluminum gangways, concrete floating docks, wooden piles and pile clusters, and install a concrete cap at the seawall with guardrails.
- Install a concrete paved section at the seawall with ADA-compliant parking and standard parking at the Marsh Landing dock, the remainder of the parking lot at Marsh Landing remaining asphalt paved.
- Install a new concrete fixed pier, large covered open-aired waiting pavilion located on the land side at the parking lot, and a small covered open-aired waiting pavilion over the marsh at the Marsh Landing dock.
- Construct new aluminum gangways, **including an 80-foot gangway for passenger access to the ferry**, a new primary concrete floating dock, a secondary floating dock, a concrete floating courtesy dock, and new timber piles and pile clusters at the Marsh Landing dock.



86. The second phase of the repairs required by the aforementioned Settlement Agreement concerned the dock, gangway, and attendant structures at the Meridian dock at the Sapelo Island visitor's center in Darien, Georgia.

87. Upon information and belief, in anticipation of being required to make these repairs, DNR began the process of bidding the project and retaining contractors and design professionals for the dock and gangway repair/replacement work as early as 2018.

**C. The Contractors and Design Professionals Hired for the Project and Their Respective Project Responsibilities**

88. The overall design and construction project intended to repair and/or replace the docks, gangways, and attendant structures at the Marsh Landing dock and Meridian dock shall hereinafter be referred to as the "Project."

89. As set forth above in the above-referenced Settlement Agreement in the 2015 civil rights lawsuit, Phase I of the Project involved repair and/or replacement of the docks and gangways at the Marsh Landing dock on Sapelo Island.

90. For purposes of the Project, DNR retained two sophisticated and experienced professional design and construction firms. DNR contracted Defendant, Stevens & Wilkinson, to serve as the architect and designated Design Professional on the Project, and with Defendant, Centennial, to be the general contractor on the Project tasked with accomplishing and supervising the physical construction work on the Project. DNR itself did not provide any designs for the Project as it was beyond its expertise to perform. Instead, DNR relied on the sophisticated and experienced professional design and construction firms—Stevens & Wilkinson and Centennial—to design the gangway and to supervise and perform the construction.

91. The contract between DNR and Defendant, Stevens & Wilkinson, defines Stevens & Wilkinson as the Design Professional responsible to furnish all design and construction contract

administration services for the Project, and further specified that Stevens & Wilkinson would serve as the Building Official.

**92.** Defendant, Centennial, was hired to serve as the primary Contractor on the Project and was required to furnish all labor, materials, tools and equipment to perform the Project work as set forth in the specifications and Project Manual.

**93.** Upon information and belief, Defendant, Stevens & Wilkinson, retained Defendant, EMC Engineering, as one of its consultants to serve as the civil/structural engineer on the Project for marine structures, including the docks and gangways.

**94.** Upon information and belief, Defendant, Centennial, retained Defendant, Crescent, to design, fabricate, and deliver the gangways that were to be installed on the Project, including the subject 80-foot gangway involved in this accident.

**95.** In addition to the specifics of each Defendant's contracts related to the Project, the work on the Project was also governed by the DNR Project Manual and the Specifications (titled 100% Construction Documents dated June 7, 2019).

**96.** The DNR – Stevens & Wilkinson contract required Stevens & Wilkinson to provide its design services consistent with The Process Guide.

**97.** The Process Guide, Section 2.4.4, Performance Specifications, is clear that as the Design Professional, Stevens & Wilkinson “must certify compliance with all provisions of the Contract Documents.”

**98.** Under its contract with DNR, Stevens & Wilkinson was responsible for providing overall project management and site architectural services for the Project, and the DNR Project Manual provided that the Design Professional, Stevens & Wilkinson, was responsible for general supervision and direction of the Project work.

99. Similarly, the DNR Project Manual set forth that Defendant, Centennial, as the Contractor was responsible for supervising and directing the Project work and for coordinating all portions of the Project work.

100. The Project Specifications include Section 053300 pertaining to Aluminum Marine Structures, which includes the subject 80-foot gangway.

101. Project Specifications Section 053300, Part 1.3 Submittals, explicitly requires that specific documents pertaining to aluminum marine structures, including the gangways, be submitted to the engineer for review, including: (a) Layout of all dock components with dimensions; and (b) Engineering calculations stamped by an engineer licensed in the State of Georgia that show compliance with all dead and live load requirements and freeboard requirements under normal load conditions.

Sapelo Island Marsh & Meridian Dock Replacement S&W Project No. - 18046.00	100% CONSTRUCTION DOCUMENTS 06.07.2019
<p style="text-align: center;"><b>Sapelo Island Marsh &amp; Meridian Dock Replacement</b> Sapelo Island, Georgia</p> <p style="text-align: center;"><b>Georgia Department of Natural Resources</b></p> <p style="text-align: center;">Project No. - S&amp;W Project #: 18046.00</p> <p style="text-align: center;">100% Construction Documents June 07, 2019</p>	

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**SECTION 053300 - ALUMINIUM MARINE STRUCTURES**

PART 1. GENERAL

1.1 SCOPE

- A. Under this heading shall be included the furnishing of all plant, equipment, labor, and materials and performing of all operations in connection with the manufacture and installation of aluminum marine structures in accordance with these Specifications and applicable Drawings.

1.2 APPLICABLE STANDARDS

- A. All structural components shall be designed with the minimum safety factors and working stress as outlined in the following standard:
- The Aluminum Association – Aluminum Design Manual, Latest Edition

1.3 SUBMITTALS

- A. The following materials shall be submitted to the engineer for review:
- a. Layout of all dock components with dimensions
  - b. Engineering calculations stamped by an engineer licensed in the State of Georgia that show compliance with all dead and live load requirements and freeboard requirements under normal load conditions.

**102.** The Project Specifications further set forth more detailed requirements for the marine structures, including the gangways, at Section 355113, Concrete Floating Dock Systems and Gangways.

**103.** Section 355113, Part 1.7B requires that *“Final design calculations and shop drawings shall be prepared under the supervision of, and sealed and signed by, a Professional Engineer....”*

**104.** Additionally, under Section 355113, Part 1.7C, the final design calculations *“shall furnish proof that the...gangways...are designed to withstand the loading*, singularly or in combinations given hereafter, without damage throughout the design life of the system.”

**105.** Section 355113 Part 1.9A further required that *“Prior to the fabrication of the dock system components, the Contractor shall submit final design calculations.”*

## SECTION 355113 - CONCRETE FLOATING DOCK SYSTEMS AND GANGWAYS

### PART 1. GENERAL

#### 1.1 DESCRIPTION

- A. This Section covers the design, fabrication and erection of various elements of the new and/or existing floating dock system including the floating dock structure, rollers and brackets, security gates and gangways and ramps. Proposed floating dock systems shall

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#### 1.7 DESIGN REQUIREMENTS

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- B. Final design calculations and shop drawings shall be prepared under the supervision of, and sealed and signed by, a Professional Engineer holding a currently valid Certificate of Registration in the State of Georgia and who maintains professional liability insurance with a minimum policy limit of \$1,000,000. Insurance Certificate shall be submitted with calculations.
- C. Final calculations shall furnish proof that the floating dock system structure and roof system, piles, pile guides and gangways using the criteria specified here in as a minimum standard, are designed to withstand the loading, singularly or in combinations given hereinafter, without damage throughout the design life of the system.

\*\*\*

#### 1.9 SUBMITTALS

Submit the following in accordance with Section 01340.

##### A. Data

Prior to the fabrication of the dock system components, the Contractor shall submit final design calculations. Final design calculations shall be hereinafter described in the Paragraph entitled "Design of System Components".

**106.** The original Project Specifications required, at Section 355113, Part 3.2A, Design of System Components for Gangways and Ramps, that the "Gangways and ramps shall be designed to carry 50 pounds per square foot uniform vertical load." However, under Addendum Two to the Specifications dated September 9, 2019 modified this by amending Section 053300 (Aluminum Marine Structures) to new Section 05555 which included Part 2.2 (Design Criteria) to specify that the 80-foot gangway required "Dead load of frame and components plus a 100 PSF live load."

## **2.2 DESIGN CRITERIA**

- A. Frame for fixed and floating dock: dead load of frame and components plus a 75 PSF live load.
- B. Gangways;
  - 1. 80' Gangway - Dead load of frame and components plus a 100 PSF live load with deflection limited to  $L/240$ .  $L$  shall be the distance in inches between supports. Hinge shall be designed to provide for lateral and vertical movements of the gangway.
  - 2. Other Gangways - Dead load of frame and components plus a 60 PSF live load with deflection limited to  $L/180$ .  $L$  shall be the distance in inches between supports.

**107.** Defendants, Stevens & Wilkinson, Centennial, and EMC Engineers, were responsible for ensuring the provisions and requirements set forth in the Project Specifications were strictly adhered to, particularly with respect to the gangways on the Project.

**108.** Under The Process Guide, Section 2.4.4, Performance Specifications, Stevens & Wilkinson was obligated to certify compliance with all provisions of the Contract Documents, which includes certifying compliance with the submittal and design calculation requirements specified above.

**109.** Further, under The Process Guide, Stevens & Wilkinson was responsible to certify that that the subject 80-foot gangway was able to withstand at least a live load of 100 PSF.

**110.** Defendants, Stevens & Wilkinson, Centennial, and EMC Engineers, responsibility a duty to ensure the required submittals pertaining to the gangway were received from Defendant, Crescent, and appropriately reviewed for compliance with the Project Specifications, and stamped and sealed by a Professional Engineer prior to permitting the subject gangway to be installed on the Project.

**D. The 80-Foot Gangway Was Dangerously Under Designed and Poorly Constructed**

**111.** The subject 80-foot gangway was one of, if not the most, critical structural elements constructed and installed at the Sapelo Island Marsh Landing dock given that it would serve to carry people over the dangerous waters below.

**112.** Accordingly, it was critically important that the subject 80-foot gangway be properly designed and compliant with the Project Specifications requiring it to withstand a minimum live load of 100 PSF.

**113.** Defendant, Crescent, was the company hired to design, fabricate, and deliver/install the gangways on the Project, including the subject 80-foot gangway, and thus, Defendant, Crescent, was required to design the subject gangway in compliance with the design criteria set forth in the Project Specifications.

**114.** Equally importantly, Crescent was required to provide its design/shop calculations proving that the 80-foot gangway would withstand a minimum live load of 100 PSF, stamped and sealed by a Professional Engineer.

**115.** Defendant, Crescent, accomplished neither and instead designed the 80-foot gangway in such a manner that it would *never* be able to withstand the required live load of 100 PSF.

**116.** Additionally, upon information and belief, Defendant, Crescent, never provided EMC, Stevens & Wilkinson, or Centennial with its design/shop calculations proving that Crescent's design of the 80-foot gangway satisfied the design criteria set forth in the Project Specifications and never had a Professional Engineer stamp and seal the designs and/or calculations.

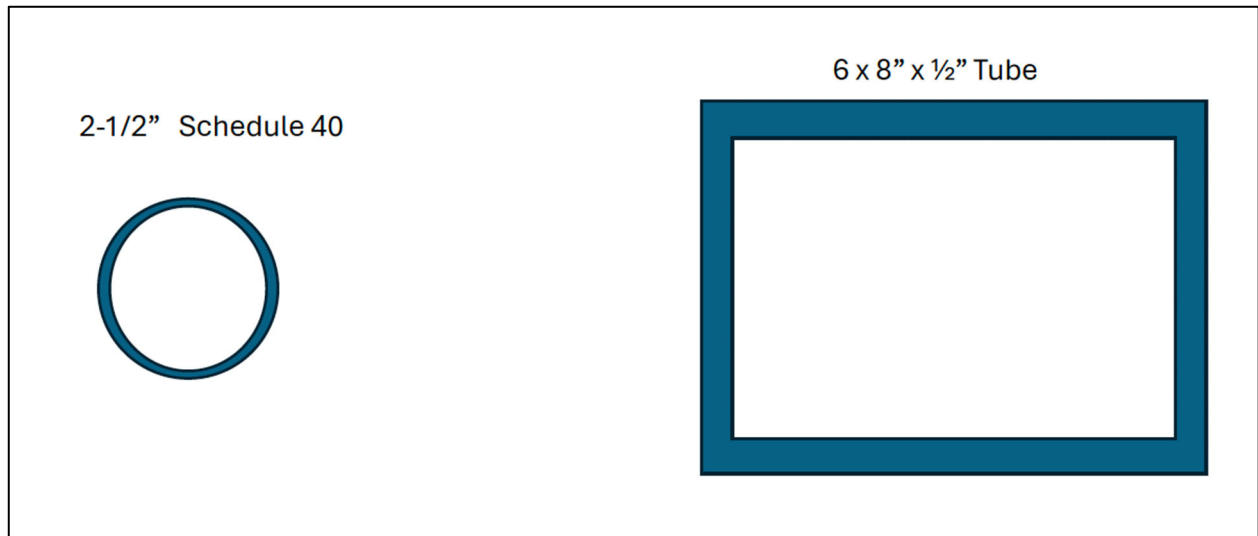
**117.** Had any design calculations been performed and/or provided by Crescent, the calculations could not have possibly proven compliance with the design criteria set forth in the Project Specifications because the subject 80-foot gangway, as designed, was nowhere near able to withstand a live load of 100 PSF. In fact, as designed and constructed, the subject 80-foot gangway was likely unable to withstand even one-third of the 100 PSF live load requirement.

**118.** Upon information and belief, Defendant, Crescent, did not even employ personnel qualified to adequately perform design calculations or a Professional Engineer to stamp and seal the design.

**119.** Even a cursory examination of the subject 80-foot gangway or its design would have indicated to any competent design and engineering professional that the gangway was under designed by orders of magnitude. DNR relied on those design and engineering professionals involved in the Project to perform the necessary calculations and approvals as it was beyond the scope of the DNR's internal expertise and qualifications.

**120.** Most glaringly, the top chord of the subject 80-foot gangway—a major structural element of the gangway—was designed and constructed with a 2 ½ inch diameter pipe whereas industry standard practice for an 80-foot gangway that is required to withstand a live load of 100 PSF is to use a 6 x 8", ½" thick, rectangular tube. The stark difference between what Crescent designed and constructed the subject gangway with versus the industry standard is shown below.





**121.** Indeed, following the October 19, 2024 gangway collapse, new gangways were installed at the Marsh Landing dock and Meridian dock, manufactured by a reputable and proven firm in the industry, which utilized the industry standard rectangular/square tube top chord as opposed to the dangerous and insufficient 2 ½ inch diameter pipe Crescent utilized.



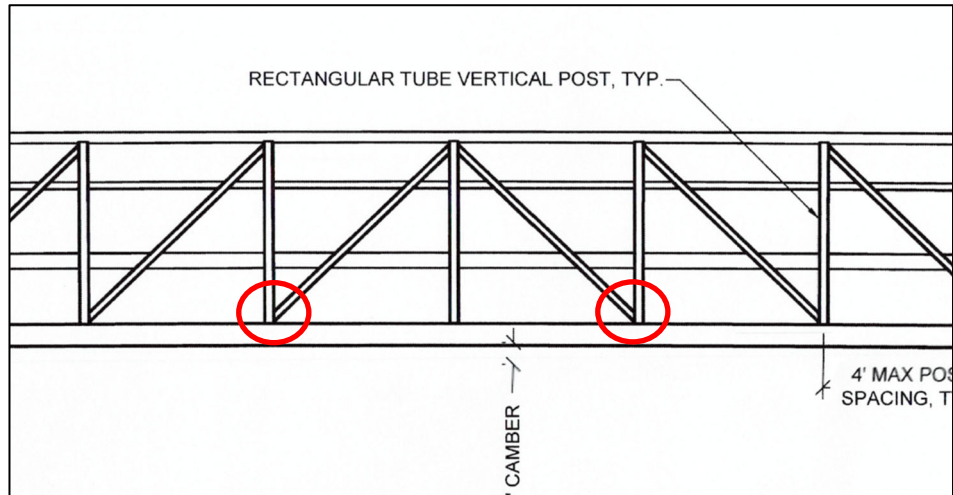
*New Meridian gangway with industry standard top chord and robust structural members*



*Subject Crescent gangway with flimsy top chord and insufficient structural members*

**122.** Not only was the subject 80-foot gangway inadequately designed by orders of magnitude, but it was poorly constructed as well.

**123.** The design drawings created by Crescent demonstrate that the diagonal cross members were supposed to be installed from one vertical post to the next. However, Crescent actually constructed the subject 80-foot gangway with its diagonal cross members connecting from a vertical post down into the bottom truss of the gangway instead of into the adjacent vertical post.



*Subject gangway design drawing*



*Subject gangway actual construction*

**124.** Defendant, Crescent's, failure to follow its own designs and construct the subject 80-foot gangway with diagonal cross members installed from post to post is not only indicative of Crescent's total incompetence, but it altered the dynamics of the load the subject gangway was capable of withstanding.

**125.** Additionally, a comparison of the subject 80-foot gangway installed at the Marsh Landing dock to the one installed at the Meridian dock, which was supposed to be identical, further demonstrates Crescent's alarming incompetence.

**126.** Unlike the subject 80-foot gangway that catastrophically failed at the Marsh Landing dock, the 80-foot gangway designed and constructed by Crescent for the Meridian dock properly had diagonal cross members installed from post to post, and it also included a structural reinforcing member underneath the center of the Meridian dock gangway that was noticeably absent from the subject Marsh Landing dock gangway.

**127.** Additionally, the weld quality on the subject gangway was poor and a competent inspection of the welds would have revealed the poor workmanship performed by Crescent.

**128.** Despite the fact that Defendant, Crescent, never provided any design calculations proving the subject gangway satisfied design criteria requiring the gangway to withstand a live load of 100 PSF, the 80-foot gangway was installed at Sapelo Island anyway.

**129.** Despite the fact that Defendant, Crescent, never provided final design/shop drawings approved, signed, and sealed by a Professional Engineer, the 80-foot gangway was installed at Sapelo Island anyway.

**130.** Despite the fact that a competent design, engineering, and/or construction professional should have been able to recognize that the construction of the gangway departed from the design drawings, the 80-foot gangway was installed at Sapelo Island anyway in 2021.

**131.** Despite the fact that the top chord of the gangway was designed and constructed using a flimsy pipe and the posts and diagonal cross members were thin, weak, and incapable of supporting the required load, the 80-foot gangway was installed at Sapelo Island anyway.

**132.** Despite the fact that the weld quality throughout the gangway was poor, the 80-foot gangway was installed at Sapelo Island anyway.

**133.** Simply put, Defendant, Crescent's, design and construction of the subject 80-foot gangway was so glaringly inadequate and dangerous, any competent Design Professional (Stevens & Wilkinson), Contractor (Centennial), or Engineer (EMC Engineering) should have immediately noticed the dangerous deficiencies and taken immediate corrective action and ensured the subject gangway was not installed at Sapelo Island.

**134.** Similarly, as discussed further herein, Defendant, Crescent's, failure to provide design calculations and drawings signed and sealed by a Professional Engineer should have been an insurmountable roadblock to having the subject 80-foot gangway installed at Sapelo Island as Defendants, Stevens & Wilkinson, Centennial, and EMC Engineering, were all required to ensure such submittals were received and complete before even permitting the gangway to be fabricated let alone installed on the Project.

**135.** When the 80-foot gangway was installed at Sapelo Island in 2021, it was imminently dangerous to third persons who would use the gangway because it was not capable of supporting a live load of 100 PSF. The gangway's inability to support this live load constituted a hidden defect that would not have been readily observable on an inspection by the DNR, which relied on the design, engineering, and construction professionals involved in this Project to design and build the subject gangway according to the applicable specifications. However, this defect

was observable and should have been obvious to Defendants, the design, engineering, and construction professionals hired for this Project.

**136.** Given Defendant, Crescent's apparent total incompetence concerning design and construction of safe gangways, it is unsurprising that a Crescent gangway catastrophically failed two years before the Sapelo Island disaster.

**137.** In September of 2022, an aluminum gangway designed and fabricated by Defendant, Crescent, failed and detached from a dock in St. Mary's, Georgia, injuring 17 people.

**E. Defendants' Failures to Ensure Gangway Compliance**

**138.** The subject 80-foot gangway unquestionably should not have been installed on the Project, and the only reason it was installed was because Defendants, Stevens & Wilkinson, Centennial, and EMC Engineers, utterly failed to abide by their respective responsibilities for ensuring compliance with the Project Specifications.

**139.** The Project Specifications and contracts applicable to Defendants, Stevens & Wilkinson, Centennial, and EMC Engineers, very clearly required said Defendants to demand compliant submittals from the gangway manufacturer, Crescent.

**140.** Defendants, Stevens & Wilkinson, Centennial, and EMC Engineers, were not permitted to authorize Crescent's fabrication of the subject 80-foot gangway unless or until Crescent submitted final design calculations and shop drawings demonstrating that the gangway as designed satisfied the design requirements within the Project Specifications, namely, that the gangway would safely support live loads of at least 100 PSF.

**141.** Defendants, Stevens & Wilkinson, Centennial, and EMC Engineers, were not permitted to approve the gangway for installation on the Project unless or until a Professional

Engineer reviewed the final design calculations and shop drawings for the subject gangway and stamped and sealed the drawings and calculations.

**142.** *Upon information and belief, Defendant, Crescent, never provided any design calculations or final shop drawings for the subject gangway.*

**143.** *Upon information and belief, a Professional Engineer never reviewed, stamped, and sealed design calculations and shop drawings for the subject 80-foot gangway.*

**144.** Despite Crescent's failure to provide final design calculations and shop drawings, Defendants, Stevens & Wilkinson, Centennial, and EMC Engineering, allowed the subject 80-foot gangway to be installed on site anyway, in clear violation of the Project Specifications and Defendants' contractual obligations.

**145.** Defendant, EMC Engineering, was the first line of defense and was the engineer responsible to receive the final design calculations and shop drawings from Defendant, Crescent, and have them reviewed, stamped, and sealed by a Professional Engineer.

**146.** Upon information and belief, Defendant, EMC Engineering, received shop drawings for the subject gangway and its details from Defendant, Crescent, that were dated April 15, 2019 and March 9, 2020.

**147.** Glaringly absent from the gangway shop drawings Defendant, Crescent, provided to Defendant, EMC Engineering, were any design calculations proving that the gangway as designed would withstand a live load of at least 100 PSF, as required by the Project Specifications.

**148.** Defendant, EMC Engineering, and specifically its engineer, John Mark Mobley, reviewed the Crescent shop drawings and requested a single change be made related to the roller plate wheel profile height, and advised Crescent to "Revise and Resubmit."

**SHOP DRAWING REVIEW**

REVIEW IS FOR GENERAL COMPLIANCE WITH  
CONTRACT DOCUMENTS. NO RESPONSIBILITY  
IS ASSUMED FOR CORRECTNESS OF  
DIMENSIONS OR DETAILS

**REVISE AND RESUBMIT**

EMC ENGINEERING SERVICES, INC.

WITH	JMM	DATE:	5/28/2020
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**149.** Unbelievably, Defendant, EMC Engineering, did not request that Crescent provide its final design calculations proving compliance with the live load requirements of the Project Specifications.

**150.** Defendant, EMC Engineering, knew or certainly should have known that Crescent was required to provide its final design calculations with its submittals so that the safety and stability of the subject 80-foot gangway could be verified before it was approved for construction and installation.

**151.** Defendant, EMC Engineering, knew or certainly should have known that any failure by Crescent to provide its final design calculations and relatedly EMC Engineering's failure to review and confirm the final design calculations, and have a Professional Engineer stamp and seal the drawings and calculations if necessary, would potentially result in an unsafe gangway incapable of supporting the required live loads being installed at Sapelo Island and subjecting countless citizens to grave danger.

**152.** Upon information and belief, despite this aforementioned knowledge, Defendant, EMC Engineering, never requested the final design calculations from Defendant, Crescent, even though EMC Engineering had the perfect opportunity to do so when providing Crescent with revisions to the shop drawings.

**153.** Defendant, EMC Engineering, was provided another opportunity to request the required design calculations and submittals from Defendant Crescent in July and August of 2020, when Crescent submitted additional and/or updated shop drawings to EMC Engineering that were dated July 29, 2020.

**154.** Once again, EMC Engineering requested certain revisions be made by Crescent but totally failed to request the final design calculations or final shop drawings as explicitly required by the Project Specifications.

**155.** Upon information and belief, final design calculations and final shop drawings were never provided by Defendant, Crescent.

**156.** Upon information and belief, final design calculations and final shop drawings were never requested by Defendant, EMC Engineering.

**157.** Defendant, Crescent, not only designed the subject gangway such that it was incapable of supporting the live loads required by the Project Specifications and was doomed to fail, but Crescent failed to provide the required submittals and design calculations which would have demonstrated to any competent engineer or design professional that the subject gangway was under designed and not safe for installation on the Project.

**158.** Defendant, EMC Engineering, totally failed to satisfy its obligations by never requesting design calculations and/or final shop drawings.

**159.** Further, given Defendant, EMC Engineering's, involvement on the Project and its knowledge of the status of the Project, EMC Engineering must have known that the subject 80-foot gangway was installed on the Project.

**160.** With knowledge that the subject 80-foot gangway was installed on the Project but never having received, reviewed, approved, or stamped and sealed, any final design calculations



or final shop drawings, Defendant, EMC Engineering, should have immediately sounded the alarm and identified this obvious oversight and required corrective action be taken.

**161.** EMC Engineering failed to do this and violated its contractual, common law, and ethical duties and responsibilities.

**162.** Defendants, Stevens & Wilkinson and Centennial, were responsible for ensuring that subcontractors, such as EMC Engineering and Crescent, actually provided the required submittals as set forth in the Project Specifications.

**163.** Defendants, Stevens & Wilkinson and Centennial, knew or certainly should have known that there were required submittals associated with the subject 80-foot gangway which included final design calculations and final shop drawings proving that the gangway would withstand the required live load of at least 100 PSF.

**164.** Defendants, Stevens & Wilkinson and Centennial, knew or certainly should have known that the final design calculations and final shop drawing submittals from Crescent needed to be reviewed, stamped and sealed by a Professional Engineer either inhouse at Crescent or by EMC Engineering.

**165.** Defendants, Stevens & Wilkinson and Centennial, knew or certainly should have known that permitting the subject 80-foot gangway to be approved for construction and installed on the Project without the required submittals, including final design calculations and shop drawings, stamped and sealed by a Professional Engineer, would potentially result in an unsafe gangway incapable of supporting the required live loads being installed at Sapelo Island and subjecting countless citizens to grave danger.

**166.** Upon information and belief, despite this aforementioned knowledge, Defendants, Stevens & Wilkinson and Centennial, allowed and arranged for the subject 80-foot gangway to be

installed on the Project even though the required design calculations and/or shop drawings, stamped and sealed by a Professional Engineer, were never provided.

**167.** Defendants, Stevens & Wilkinson and Centennial, violated their duties and responsibilities by allowing and arranging for the subject 80-foot gangway to be installed on the Project despite the absence of the required submittals.

**168.** The Project Specifications required specific submittals for the subject 80-foot gangway for the very reason that the design calculations and shop drawings would ensure the gangway was capable of safely supporting the required live loads. Defendant, Crescent's, failure to provide the final design calculations and shop drawings, and Defendants, EMC Engineering's, Stevens & Wilkinson's, and Centennial's, failures to require the submittals before approving the gangway for installation, completely nullified the important safety measure served by the submittals requirements of the Project Specifications.

**169.** As a result of Defendants failures, described above, an under designed and unsafe gangway that was doomed to fail was installed at Sapelo Island and this tragedy occurred as a result.

**F. Post-Installation Opportunities to Recognize the Dangerous Nature of the Gangway**

**170.** Even after the subject 80-foot gangway was improperly permitted to be installed on the Project, Defendants, Centennial and Crescent, had the opportunity to recognize the dangerous nature of the gangway and take corrective action.

**171.** In May of 2022, Centennial and Crescent were advised that the subject gangway had been making strange and concerning noises and were requested to perform a reinspection of the gangway.

172. On May 26, 2022, Centennial Project Manager, Tim Dugan, wrote an email advising that he had conducted an inspection with a representative from another contractor involved in the Project, Dogwood Construction, and advised that there were several cracks in the underside welds connecting the deck planks to the structural members of the gangway, but no issues observed that would cause concern for the structural integrity of the gangway. It was further advised that the loud “pop” or “crack” noises reported was likely the cracking or failure of these allegedly nonstructural underside deck plank welds. It was further advised that the gangway should be reinspected again a few months later to determine if there were continued weld failures.

From: Dugan, Tim <TDugan@cce-inc.com>  
Sent: Thursday, May 26, 2022 4:01 PM  
To: Butler, Stanley <stanley.butler@dnr.ga.gov>  
Cc: Griffin, Joel <Joel.Griffin@dnr.ga.gov>; Ty Barrow <jtb@crescentdock.com>; Wesley <wesley@dogwoodconstruct.com>  
Subject: RE: Marsh Landing items...

\*\*\*

Wesley went and inspected the gangway and dock to identify any potential problems and his report is listed below with photos attached.

From Wesley Smith

I inspected the bottom of the large gangway this morning as the tide was going out. I did see a few hairline cracks in welds on the deck planks and did notice one crack that seemed to be completely through approximately 15 to 20 foot from the Ferry Float. I did not see any issues that would make me concerned for the structural integrity of the gangway.

Once the ferry arrived, I asked one of the first-hand witnesses to the loud “pop” (Randal with UGA) to describe what he heard and where. He described a loud pop that sounded to him like a weld popping and walked me to the location. It was approximately 15 to 20 foot from the Ferry Float and on the Southern Side; exactly where the one weld had cracked completely through. Please see the attached photos. The first one (20220526\_083244) is the weld that is completely cracked through.

I do believe the one completely failed weld could have produced the “pop” that was witnessed by “the UGA guys”. I suggest we reinspect the gangway in a few months to see if there is any additional weld failures and if so, decide what corrective actions should be taken.

**173.** The fact that welds were already failing on the subject 80-foot gangway such a short time after it was installed should have been a clear indication to Centennial's Project Manager, Mr. Dugan, that the gangway was constructed poorly and needed to be totally reevaluated.

**174.** The cause for concern over the quality and integrity of the subject gangway should have heightened just a few months later in September, 2022, when a different gangway designed and manufactured by Crescent and installed at St. Mary's, Georgia, suffered a failure and caused injuries to approximately 17 people who fell when that gangway failed.

**175.** Despite the notice that a similar gangway designed and built by Crescent had suffered a failure, Defendants, Stevens & Wilkinson, EMC Engineering, and Centennial, failed to take appropriate action to ensure the subject 80-foot gangway was safe.

**176.** Had Defendants, Stevens & Wilkinson, Centennial, and/or EMC Engineering responded appropriately to the notice of a similar Crescent gangway failing and causing serious injuries, Defendants would have recognized the original failures to review and approve final design calculations and shop drawings.

**177.** However, Defendants again ignored the missing design calculations and shop drawings for the subject 80-foot gangway just as they had done before.

**178.** The tragic loss of life and devastating injuries inflicted by the catastrophic collapse of the subject gangway was entirely preventable had Defendants abided by their duties and responsibilities.

**179.** Instead, Defendants' collective and individual failures and negligent and reckless conduct resulted in an under designed and dangerous gangway that was doomed to fail being installed at Sapelo Island and subjecting countless citizens, including Plaintiffs and the decedents, to the risk of grave danger.

**180.** That danger was realized on October 19, 2024, when the subject 80-foot gangway collapsed.

**181.** Defendants are jointly and severally liable for the deaths, injuries, and damages alleged and claimed herein.

**182.** As a direct and proximate result of Defendants' negligent and reckless conduct, Plaintiff's decedent, Jacqueline Crews Carter, sustained severe physical, psychological, and emotional injuries, and she died as a result of her injuries. Plaintiffs, Vanessa Williams and Angela Mosely, as the Surviving Children of Jacqueline Crews Carter, are entitled to recover damages for the full value of Jacqueline's life, including all economic and noneconomic damages recoverable under Georgia law. Plaintiffs, Vanessa Williams and Angela Mosley, as Personal Representatives of the Estate of Jacqueline Crews Carter, are entitled to recover all damages belonging to the Estate, including damages for Jacqueline's medical expenses, funeral expenses, and pre-death pain and suffering. As a result, Plaintiffs are entitled to an award of special and general damages in an amount to be proven at trial.

**183.** As a direct and proximate result of Defendants' negligent and reckless conduct, Plaintiff's decedent, Isaiah Thomas, sustained severe physical, psychological, and emotional injuries, and he died as a result of his injuries. Plaintiff, Karen Thomas, as the Surviving Spouse of Isaiah Thomas, is entitled to recover damages for the full value of Isaiah's life, including all economic and noneconomic damages recoverable under Georgia law. Plaintiff, Kisha Haraway, as Personal Representative of the Estate of Isaiah Thomas, is entitled to recover all damages belonging to the Estate, including damages for Isaiah's medical expenses, funeral expenses, and pre-death pain and suffering. As a result, Plaintiffs are entitled to an award of special and general damages in an amount to be proven at trial.

**184.** As a direct and proximate result of Defendants' negligent and reckless conduct, Plaintiff's decedent, Carlotta McIntosh, sustained severe physical, psychological, and emotional injuries, and she died as a result of her injuries. Plaintiff, Vaughn Hassan, as the Surviving Child of Carlotta McIntosh, is entitled to recover damages for the full value of Carlotta's life, including all economic and noneconomic damages recoverable under Georgia law. Plaintiff, Vaughn Hassan, as Personal Representative of the Estate of Carlotta McIntosh, is entitled to recover all damages belonging to the Estate, including damages for Carlotta's medical expenses, funeral expenses, and pre-death pain and suffering. As a result, Plaintiff is entitled to an award of special and general damages in an amount to be proven at trial.

**185.** As a direct and proximate result of Defendants' negligent and reckless conduct, Plaintiff's decedent, Cynthia Gibbs, sustained severe physical, psychological, and emotional injuries, and she died as a result of her injuries. Plaintiff, Thomas Tucker, as the Surviving Child of Cynthia Gibbs, is entitled to recover damages for the full value of Cynthia's life, including all economic and noneconomic damages recoverable under Georgia law. Plaintiff, Thomas Tucker, as Administrator of the Estate of Cynthia Gibbs, is entitled to recover all damages belonging to the Estate, including damages for Cynthia's medical expenses, funeral expenses, and pre-death pain and suffering. As a result, Plaintiff is entitled to an award of special and general damages in an amount to be proven at trial.

**186.** As a direct and proximate result of Defendants' negligent and reckless conduct, Plaintiff's decedent, William Johnson, Jr., sustained severe physical, psychological, and emotional injuries, and he died as a result of his injuries. Plaintiff, Zelda Johnson, as the Surviving Spouse of William Johnson, Jr., is entitled to recover damages for the full value of William's life, including all economic and noneconomic damages recoverable under Georgia law.

**187.** As a direct and proximate result of Defendants' negligent and reckless conduct, Plaintiffs' decedent, Queen Welch, sustained severe physical, psychological, and emotional injuries, and he died as a result of her injuries. Plaintiffs, Zelda Johnson and Lisa Austin, as the lawfully appointed Executrixes of the Estate of Queen Welch, are entitled to recover damages for the full value of Queen's life, including all economic and noneconomic damages recoverable under Georgia law. Plaintiffs, Zelda Johnson and Lisa Austin, are also entitled to recover all damages belonging to the Estate, including damages for Queen's medical expenses, funeral expenses, and pre-death pain and suffering. As a result, Plaintiffs are entitled to an award of special and general damages in an amount to be proven at trial.

**188.** As a direct and proximate result of Defendants' negligent and reckless conduct, Plaintiff's decedent, Charles L. Houston, sustained severe physical, psychological, and emotional injuries, and he died as a result of his injuries. Plaintiff, Elizabeth Houston, as the Surviving Spouse of Charles L. Houston, is entitled to recover damages for the full value of Charles's life, including all economic and noneconomic damages recoverable under Georgia law. As a result, Plaintiff is entitled to an award of special and general damages in an amount to be proven at trial.

**189.** Plaintiff, Zelda Johnson, was on the subject gangway when it collapsed and was caused to fall into the water where she would fight for her life. As a direct and proximate result of Defendants' negligent and reckless conduct, Plaintiff, Zelda Johnson, sustained a physical impact from the event and sustained injuries and severe and permanent psychological, and/or emotional injuries the full extent of which are not yet know. Plaintiff has in the past and will in the future require therapy, counseling, and care to address and treat her injuries. Plaintiff, Zelda Johnson, claims all economic and noneconomic damages recoverable under Georgia law for the injures,

damages, and losses she sustained as a direct and proximate result of Defendants' aforementioned conduct.

**190.** Plaintiff, Regina Brinson, was on the subject gangway when it collapsed and was caused to fall into the water where she would fight for her life. Ms. Brinson is the niece of decedent, Isaiah Thomas, and upon falling into the water, Mr. Thomas attempted to cling to Ms. Brinson because he could not swim and was pulling her underwater while frantically trying to stay afloat himself. Ms. Brinson was tragically forced to make a life-or-death decision and had to pry Mr. Thomas's hands off of her so she could stay afloat and save herself. Ms. Brinson was forced to watch Mr. Thomas drown as a result. As a direct and proximate result of Defendants' negligence and recklessness, Plaintiff, Regina Brinson, sustained a physical impact from the event and suffered severe and permanent physical, psychological, and emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat her injuries. Plaintiff, Regina Brinson, claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses she sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff, Regina Brinson, has and will incur reasonable and necessary medical bills, and her medical treatment is ongoing.

**191.** Plaintiff, Marsha Armstrong, was on the subject gangway when it collapsed and was caused to fall into the water where she would fight for her life. As a direct and proximate result of Defendants' negligence and recklessness, Plaintiff, Marsha Armstrong, sustained a physical impact from the event and suffered severe and permanent physical, psychological, and emotional injuries, some or all of which may be permanent in nature, and other physical,



psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat her injuries. Plaintiff, Marsha Armstrong, claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses she sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff, Marsha Armstrong, has and will incur reasonable and necessary medical bills, and her medical treatment is ongoing.

**192.** Plaintiff, Joe Young, was on the subject gangway when it collapsed and was caused to fall into the water where he would fight for his life. As a direct and proximate result of Defendants' negligence and recklessness, Plaintiff, Joe Young, sustained a physical impact from the event and suffered severe and permanent physical, psychological, and emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat his injuries. Plaintiff, Joe Young, claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses he sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff, Joe Young, has and will incur reasonable and necessary medical bills, and his medical treatment is ongoing.

**193.** Plaintiff, Joann Ross, was on the subject gangway when it collapsed and was caused to fall into the water where she would fight for her life. As a direct and proximate result of Defendants' negligence and recklessness, Plaintiff, Joann Ross, sustained a physical impact from the event and suffered severe and permanent physical, psychological, and emotional injuries, including but not limited to a severely fractured ankle and multiple surgical procedures to address

same, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat her injuries. Plaintiff, Joann Ross, claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses she sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff, Joann Ross, has and will incur reasonable and necessary medical bills, and her medical treatment is ongoing.

**194.** Plaintiff, Yvonne Brockington, was on the subject gangway when it collapsed and was caused to fall into the water where she would fight for her life. As a direct and proximate result of Defendants' negligence and recklessness, Plaintiff, Yvonne Brockington, sustained a physical impact from the event and suffered severe and permanent physical, psychological, and emotional injuries, including but not limited to a severely tibia and surgical procedures to address same, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat her injuries. Plaintiff, Yvonne Brockington, claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses she sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff, Yvonne Brockington, has and will incur reasonable and necessary medical bills, and her medical treatment is ongoing.

**195.** Plaintiff, Diana Medley Bloodworth, was on the subject gangway when it collapsed and was caused to fall into the water where she would fight for her life. As a direct and proximate result of Defendants' negligence and recklessness, Plaintiff, Diana Medley Bloodworth, sustained a physical impact from the event and suffered severe and permanent physical, psychological, and

emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat her injuries. Plaintiff, Diana Medley Bloodworth, claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses she sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff, Diana Medley Bloodworth, has and will incur reasonable and necessary medical bills, and her medical treatment is ongoing. Additionally, Plaintiff was at all times relevant hereto the lawful spouse of Raymond Bloodworth and was entitled to Raymond Bloodworth's love, affection, support, guidance, assistance, and consortium. As a direct and proximate result of Defendants' aforementioned conduct, Plaintiff, Diana Medley Bloodworth, has suffered a loss of consortium as a result of the injuries suffered by her husband, Raymond Bloodworth.

**196.** Plaintiff, Raymond Bloodworth, was on the subject gangway when it collapsed and was caused to fall into the water where he would fight for his life. As a direct and proximate result of Defendants' negligence and recklessness, Plaintiff, Raymond Bloodworth, sustained a physical impact from the event and suffered severe and permanent physical, psychological, and emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat her injuries. Plaintiff, Raymond Bloodworth, claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses he sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff, Raymond Bloodworth, has and will incur reasonable and necessary medical bills, and his medical treatment

is ongoing. Additionally, Plaintiff was at all times relevant hereto the lawful spouse of Diana Medley Bloodworth and was entitled to her love, affection, support, guidance, assistance, and consortium. As a direct and proximate result of Defendants' aforementioned conduct, Plaintiff, Raymond Bloodworth, has suffered a loss of consortium as a result of the injuries suffered by his wife, Diana Medley Bloodworth.

**197.** Plaintiff, Bertha McKnight, was on the subject gangway when it collapsed and was caused to fall into the water where she would fight for her life. As a direct and proximate result of Defendants' negligence and recklessness, Plaintiff, Bertha McKnight, sustained a physical impact from the event and suffered severe and permanent physical, psychological, and emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat her injuries. Plaintiff, Bertha McKnight, claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses she sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff, Bertha McKnight, has and will incur reasonable and necessary medical bills, and her medical treatment is ongoing.

**198.** Plaintiff, Erica Jeter, was on the subject gangway when it collapsed and was caused to fall into the water where she would fight for her life. As a direct and proximate result of Defendants' negligence and recklessness, Plaintiff, Erica Jeter, sustained a physical impact from the event and suffered severe and permanent physical, psychological, and emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat her injuries. Plaintiff, Erica Jeter, claims

all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses she sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff, Erica Jeter, has and will incur reasonable and necessary medical bills, and her medical treatment is ongoing.

**199.** Plaintiff, Pearl Davis, was on the subject gangway when it collapsed and was caused to fall into the water where she would fight for her life. As a direct and proximate result of Defendants' negligence and recklessness, Plaintiff, Pearl Davis, sustained a physical impact from the event and suffered severe and permanent physical, psychological, and emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat her injuries. Plaintiff, Pearl Davis, claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses she sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff, Pearl Davis, has and will incur reasonable and necessary medical bills, and her medical treatment is ongoing.

**200.** Plaintiff, Paul LeBlanc, was on the subject gangway when it collapsed. As a direct and proximate result of Defendants' negligence and recklessness, Plaintiff, Paul LeBlanc, sustained a physical impact from the event and suffered severe and permanent physical, psychological, and emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat his injuries. Plaintiff, Paul LeBlanc, claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses he sustained as a direct and

proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff, Paul LeBlanc, has and will incur reasonable and necessary medical bills, and his medical treatment is ongoing.

**201.** Plaintiff, Ophelia Grant, was on the subject gangway when it collapsed and was caused to fall into the water where she would fight for her life. As a direct and proximate result of Defendants' negligence and recklessness, Plaintiff, Ophelia Grant, sustained a physical impact from the event and suffered severe and permanent physical, psychological, and emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat her injuries. Plaintiff, Ophelia Grant, claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses she sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff, Ophelia Grant, has and will incur reasonable and necessary medical bills, and her medical treatment is ongoing.

**202.** Plaintiff, Beverly Sims, was on the subject gangway when it collapsed. As a direct and proximate result of Defendants' negligence and recklessness, Plaintiff, Beverly Sims, sustained a physical impact from the event and suffered severe and permanent physical, psychological, and emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat her injuries. Plaintiff, Beverly Sims, claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses she sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse,

Plaintiff, Beverly Sims, has and will incur reasonable and necessary medical bills, and her medical treatment is ongoing. Additionally, Plaintiff was at all times relevant hereto the lawful spouse of Irvin Jones and was entitled to his love, affection, support, guidance, assistance, and consortium. As a direct and proximate result of Defendants' aforementioned conduct, Plaintiff, Beverly Sims, has suffered a loss of consortium as a result of the injuries suffered by her husband, Irvin Jones.

**203.** Plaintiff, Irvin Jones, was on the subject gangway when it collapsed. As a direct and proximate result of Defendants' negligence and recklessness, Plaintiff, Irvin Jones, sustained a physical impact from the event and suffered severe and permanent physical, psychological, and emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat his injuries. Plaintiff, Irvin Jones, claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses he sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff, Irvin Jones, has and will incur reasonable and necessary medical bills, and his medical treatment is ongoing. Additionally, Plaintiff was at all times relevant hereto the lawful spouse of Beverly Sims and was entitled to her love, affection, support, guidance, assistance, and consortium. As a direct and proximate result of Defendants' aforementioned conduct, Plaintiff, Irvin Jones, has suffered a loss of consortium as a result of the injuries suffered by his wife, Beverly Sims.

**204.** Plaintiff, Juniper DiGiovanni, was on the subject gangway when it collapsed and was caused to fall into the water where she would fight for her life. As a direct and proximate result of Defendants' negligence and recklessness, Plaintiff, Juniper DiGiovanni, sustained a physical impact from the event and suffered severe and permanent physical, psychological, and

emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat her injuries. Plaintiff, Juniper DiGiovanni, claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses she sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff, Juniper DiGiovanni, has and will incur reasonable and necessary medical bills, and her medical treatment is ongoing.

**205.** Plaintiff, Grady Anderson, was on the subject gangway when it collapsed. As a direct and proximate result of Defendants' negligence and recklessness, Plaintiff, Grady Anderson, sustained a physical impact from the event and suffered severe and permanent physical, psychological, and emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat his injuries. Plaintiff, Grady Anderson, claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses he sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff, Grady Anderson, has and will incur reasonable and necessary medical bills, and his medical treatment is ongoing.

**206.** Plaintiff, Pamela Grovner, was on the subject gangway when it collapsed. As a direct and proximate result of Defendants' negligence and recklessness, Plaintiff, Pamela Grovner, sustained a physical impact from the event and suffered severe and permanent physical, psychological, and emotional injuries, some or all of which may be permanent in nature, and other



physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat her injuries. Plaintiff, Pamela Grovner, claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses she sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff, Pamela Grovner, has and will incur reasonable and necessary medical bills, and her medical treatment is ongoing.

**207.** Plaintiff, Theodorsia Rubenstein, was on the subject gangway when it collapsed. As a direct and proximate result of Defendants' negligence and recklessness, Plaintiff, Theodorsia Rubenstein, sustained a physical impact from the event and suffered severe and permanent physical, psychological, and emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat her injuries. Plaintiff, Theodorsia Rubenstein, claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses she sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff, Theodorsia Rubenstein, has and will incur reasonable and necessary medical bills, and her medical treatment is ongoing.

**208.** Plaintiff, Kyle Alexander Bailey, was not physically on the subject gangway when it collapsed but was at the scene and was caused to heroically leap into action to assist in rescuing the victims that fell into the water. In the course of rescuing other victims, Plaintiff sustained a physical impact and suffered significant and permanent physical, psychological, and/or emotional injuries, some or all of which may be permanent in nature, and other physical, psychological,

and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat his injuries. Plaintiff claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff has and will incur reasonable and necessary medical bills, and his medical treatment is ongoing.

**209.** Plaintiff, Alexaner Henderson, was not physically on the subject gangway when it collapsed but was at the scene and was caused to heroically leap into action to assist in rescuing the victims that fell into the water. In the course of rescuing other victims, Plaintiff sustained a physical impact and suffered significant and permanent physical, psychological, and/or emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat his injuries. Plaintiff claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff has and will incur reasonable and necessary medical bills, and his medical treatment is ongoing.

**210.** Plaintiff, Reginald Hall, was not physically on the subject gangway when it collapsed but was at the scene and was caused to heroically leap into action to assist in rescuing the victims that fell into the water. In the course of rescuing other victims, Plaintiff sustained a physical impact and suffered significant and permanent physical, psychological, and/or emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and

will in the future require medical treatment and care to address and treat his injuries. Plaintiff claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff has and will incur reasonable and necessary medical bills, and his medical treatment is ongoing.

**211.** Plaintiff, Iregene Grovner, Jr., was not physically on the subject gangway when it collapsed but was at the scene and was caused to heroically leap into action to assist in rescuing the victims that fell into the water. In the course of rescuing other victims, Plaintiff sustained a physical impact and suffered significant and permanent physical, psychological, and/or emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat his injuries. Plaintiff claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff has and will incur reasonable and necessary medical bills, and his medical treatment is ongoing.

**212.** Plaintiff, Bobby Grovner, was not physically on the subject gangway when it collapsed but was at the scene and was caused to heroically leap into action to assist in rescuing the victims that fell into the water. In the course of rescuing other victims, Plaintiff sustained a physical impact and suffered significant and permanent physical, psychological, and/or emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat his injuries. Plaintiff

claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff has and will incur reasonable and necessary medical bills, and his medical treatment is ongoing.

**213.** Plaintiff, Barbie Brooksher, was not physically on the subject gangway when it collapsed but was at the scene and was caused to heroically leap into action to assist in rescuing the victims that fell into the water. In the course of rescuing other victims, Plaintiff sustained a physical impact and suffered significant and permanent physical, psychological, and/or emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat her injuries. Plaintiff claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff has and will incur reasonable and necessary medical bills, and her medical treatment is ongoing.

**214.** Plaintiff, Yvonne Jackson Grovner, was not physically on the subject gangway when it collapsed but was at the scene and was caused to heroically leap into action to assist in rescuing the victims that fell into the water. In the course of rescuing other victims, Plaintiff sustained a physical impact and suffered significant and permanent physical, psychological, and/or emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat her injuries. Plaintiff claims all economic and noneconomic damages recoverable under Georgia law for the

injuries, damages, and losses sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff has and will incur reasonable and necessary medical bills, and her medical treatment is ongoing.

**215.** Plaintiff, Linda David, was not physically on the subject gangway when it collapsed but was at the scene and was caused to heroically leap into action to assist in rescuing the victims that fell into the water. In the course of rescuing other victims, Plaintiff sustained a physical impact and suffered significant and permanent physical, psychological, and/or emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat her injuries. Plaintiff claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff has and will incur reasonable and necessary medical bills, and her medical treatment is ongoing.

**216.** Plaintiff, Katrena Alexander, was a caretaker of decedent, Isaiah Thomas, and as such has suffered significant psychological and emotional injuries with physical manifestation as a direct result of the death of Isaiah Thomas on October 19, 2024. Plaintiff has in the past and will in the future require medical treatment and care to address and treat her injuries. Plaintiff claims all economic and noneconomic damages recoverable under Georgia law, for the injuries, damages, and losses sustained as a direct and proximate result of Defendants' Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff has and will incur reasonable and necessary medical bills, and her medical treatment is ongoing.

**217.** Plaintiff, Zelda Johnson, was on the subject gangway with her husband, William Johnson, Jr., when it collapsed and they both fell into the water and had to fight for their lives to try to survive. As a direct and proximate result of Defendants' negligence and recklessness, William Johnson, Jr. sustained severe physical, psychological, and emotional injuries, and he died as a result of his injuries. Plaintiff, Zelda Johnson, survived but she was left with physical, psychological, and emotional injuries. Plaintiff, Zelda Johnson, as the Surviving Spouse of William Johnson, Jr., is entitled to recover damages for the full value of William's life, including all economic and noneconomic damages recoverable under Georgia law. Plaintiff, Zelda Johnson, individually, is also entitled to recover noneconomic damages for her own injuries. As a result, Plaintiff Zelda Johnson is entitled to an award of special and general damages in an amount to be proven at trial.

**218.** Queen Welch was on the subject gangway when it collapsed and was caused to fall into the water where she would fight for her life. Queen Welch sustained severe physical, psychological, and emotional injuries, and she died as a result of her injuries. Plaintiffs, Zelda Johnson and Lisa Austin, as the Executrices of the Estate of Queen Welch, are entitled to recover damages for the full value of Queen's life, including all economic and noneconomic damages recoverable under Georgia law. In addition, they are entitled to recover all other damages belonging to the Estate, including damages for funeral expenses and pre-death pain and suffering. As a result, Plaintiffs Zelda Johnson and Lisa Austin, as the Executrices of the Estate of Queen Welch, are entitled to an award of special and general damages in an amount to be proven at trial.

**219.** Plaintiff, Heather Houston-Meeks, was on the subject gangway when it collapsed and was caused to fall into the water where she would fight for her life. Ms. Houston-Meeks is the daughter of decedent, Charles L. Houston, and upon falling into the water, Mr. Houston and

Mrs. Houston-Meeks attempted to save themselves and several other individuals who fell into the water. Mrs. Houston-Meeks was forced to watch her father drown. As a direct and proximate result of Defendants' negligence and recklessness, Plaintiff, Heather Houston-Meeks, sustained a physical impact from the event and suffered severe and permanent physical, psychological, and emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical and psychological treatment and care to address and treat her injuries. Plaintiff, Heather Houston-Meeks, claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses she sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff, Heather Houston-Meeks, has and will incur reasonable and necessary medical bills, and her medical treatment is ongoing.

**220.** Plaintiff, Thomasa Akins, was on the subject gangway when it collapsed. As a direct and proximate result of Defendants' negligence and recklessness, Plaintiff, Thomasa Akins, sustained a physical impact from the event and suffered severe and permanent physical, psychological, and emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat his injuries. Plaintiff, Thomasa Akins, claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses she sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff, Thomasa Akins, has and will incur reasonable and necessary medical bills, and her medical treatment is ongoing.

**221.** Plaintiff, Jennifer Blocker, was on the subject gangway when it collapsed. As a direct and proximate result of Defendants' negligence and recklessness, Plaintiff, Jennifer Blocker, sustained a physical impact from the event and suffered severe and permanent physical, psychological, and emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat his injuries. Plaintiff, Jennifer Blocker, claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses she sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff, Jennifer Blocker, has and will incur reasonable and necessary medical bills, and her medical treatment is ongoing.

**222.** Plaintiff, Erika LeCounte, was on the subject gangway when it collapsed. As a direct and proximate result of Defendants' negligence and recklessness, Plaintiff, Erika LeCounte, sustained a physical impact from the event and suffered severe and permanent physical, psychological, and emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat his injuries. Plaintiff, Erika LeCounte, claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses she sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff, Erika LeCounte, has and will incur reasonable and necessary medical bills, and her medical treatment is ongoing.



**223.** Plaintiff, Sabreena Vullock Labran, was on the subject gangway when it collapsed. As a direct and proximate result of Defendants' negligence and recklessness, she sustained a physical impact from the event and suffered severe and permanent physical, psychological, and emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat her injuries. Plaintiff claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses she sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff has and will incur reasonable and necessary medical bills, and her medical treatment is ongoing.

**224.** Plaintiff, Abeed Labran, was on the subject gangway when it collapsed. As a direct and proximate result of Defendants' negligence and recklessness, he sustained a physical impact from the event and suffered severe and permanent physical, psychological, and emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat his injuries. Plaintiff claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses he sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff has and will incur reasonable and necessary medical bills, and his medical treatment is ongoing.

**225.** Plaintiff, Janice Carroll, was on the subject gangway when it collapsed. As a direct and proximate result of Defendants' negligence and recklessness, she sustained a physical impact from the event and suffered severe and permanent physical, psychological, and emotional injuries,

some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat his injuries. Plaintiff claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses she sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff has and will incur reasonable and necessary medical bills, and her medical treatment is ongoing.

**226.** Plaintiff, Mary Veronyca Mathews, was on the subject gangway when it collapsed. As a direct and proximate result of Defendants' negligence and recklessness, she sustained a physical impact from the event and suffered severe and permanent physical, psychological, and emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat his injuries. Plaintiff claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses she sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff has and will incur reasonable and necessary medical bills, and her medical treatment is ongoing.

**227.** Plaintiff, Kimberly Wood, and her two daughters (Riley Wood and Hailey Wood) were on the subject gangway when it collapsed. As a direct and proximate result of Defendants' negligence and recklessness, these plaintiffs sustained a physical impact from the event and suffered severe and permanent physical, psychological, and emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. These plaintiffs have in the past and will in the future

require medical treatment and care to address and treat his injuries. These plaintiffs claim all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses she sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, these plaintiffs have and will incur reasonable and necessary medical bills, and her medical treatment is ongoing.

**228.** Plaintiff, Latonya Wood, was on the subject gangway when it collapsed. As a direct and proximate result of Defendants' negligence and recklessness, she sustained a physical impact from the event and suffered severe and permanent physical, psychological, and emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat his injuries. Plaintiff claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses she sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff has and will incur reasonable and necessary medical bills, and her medical treatment is ongoing.

**229.** Plaintiff, Susie Wood, was on the subject gangway when it collapsed. As a direct and proximate result of Defendants' negligence and recklessness, she sustained a physical impact from the event and suffered severe and permanent physical, psychological, and emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat his injuries. Plaintiff claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses she sustained as a direct and proximate result of Defendants' aforementioned conduct.

As a result of the subject collapse, Plaintiff has and will incur reasonable and necessary medical bills, and her medical treatment is ongoing.

**230.** Plaintiff, George Francis, was on the subject gangway when it collapsed. As a direct and proximate result of Defendants' negligence and recklessness, he sustained a physical impact from the event and suffered severe and permanent physical, psychological, and emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat his injuries. Plaintiff claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses he sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff has and will incur reasonable and necessary medical bills, and his medical treatment is ongoing.

**231.** Plaintiff, David Michael Wood, was on the subject gangway when it collapsed. As a direct and proximate result of Defendants' negligence and recklessness, he sustained a physical impact from the event and suffered severe and permanent physical, psychological, and emotional injuries, some or all of which may be permanent in nature, and other physical, psychological, and/or emotional injuries the full extent of which are not yet known. Plaintiff has in the past and will in the future require medical treatment and care to address and treat his injuries. Plaintiff claims all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses he sustained as a direct and proximate result of Defendants' aforementioned conduct. As a result of the subject collapse, Plaintiff has and will incur reasonable and necessary medical bills, and his medical treatment is ongoing.

## **CLAIMS**

### **COUNT I – ORDINARY NEGLIGENCE**

#### **ALL PLAINTIFFS v. STEVENS & WILKINSON, INC. AND STEVENS & WILKINSON GA, INC.**

**232.** Plaintiffs hereby reallege and incorporate herein the allegations contained in the previous paragraphs as if each were fully set forth herein in their entirety.

**233.** At all times hereto, Defendant, Stevens & Wilkinson, was under a duty to exercise ordinary care in its performance as the designated Design Professional for the Project.

**234.** Defendant, Stevens & Wilkinson, had a duty to exercise ordinary care in making sure the required submittals pertaining to the subject 80-foot gangway were collected, reviewed, and approved before Defendant Crescent was given authorization to fabricate the subject gangway.

**235.** Defendant, Stevens & Wilkinson, had a duty to exercise ordinary care in making sure the required submittals pertaining to the subject 80-foot gangway were collected, reviewed, and approved before the subject gangway was installed on site.

**236.** Defendant, Stevens & Wilkinson, had a duty to exercise ordinary care in ensuring that the subject gangway complied with the live load requirements set forth in the Project Specifications.

**237.** Defendant, Stevens & Wilkinson, knew or certainly should have known that permitting the subject gangway to be installed on the Project despite the fact that the required submittals for the subject gangway, including final design calculations and shop drawings stamped and sealed by a professional engineer, were not done or provided, would result in a dangerous gangway being installed on the Project that would foreseeably subject countless citizens, including Plaintiffs herein, to unreasonable and unacceptable risks of severe injury and/or death.

**238.** Defendant, Stevens & Wilkinson, knew or certainly should have known that permitting the subject gangway to be installed on the Project despite the fact that nobody certified the gangway satisfied the design criteria would result in a dangerous gangway being installed on the Project that would foreseeably subject countless citizens, including Plaintiffs herein, to unreasonable and unacceptable risks of severe injury and/or death.

**239.** Despite the aforementioned knowledge, Defendant, Stevens & Wilkinson, permitted the subject gangway to be installed on the Project anyway.

**240.** Defendant, Stevens & Wilkinson, breached all of its aforementioned duties to exercise ordinary care, and this tragedy occurred as a result.

**241.** Defendant, Stevens & Wilkinson, had numerous opportunities to recognize that the required submittals were not provided and/or that any design calculations that were provided clearly demonstrated that the subject gangway was incapable of withstanding the live load requirements under the Project Specifications.

**242.** Defendant, Stevens & Wilkinson, acting by and through its employees, agents, and/or servants, acted carelessly and negligent, both generally and in the following particular respects:

- a.** Failing to ensure the required submittals were provided for the subject gangway prior to its installation on the Project;
- b.** Failing to ensure design calculations were provided by Crescent demonstrating the subject gangway met the performance criteria set forth in the Project Specifications;
- c.** Failing to ensure a Professional Engineer reviewed, stamped, and sealed the final design calculations and/or shop drawings for the subject gangway prior to the gangway being installed on the Project;
- d.** Failing to certify the subject gangway was in compliance with the provisions of the Contract Documents;
- e.** Failing to require EMC Engineers to review, approve, stamp and seal final design calculations and/or shop drawings for the subject gangway;

- f. Permitting the subject gangway to be installed on the Project;
- g. Permitting the subject gangway to be installed on the Project despite the lack of required submittals;
- h. Permitting the subject gangway to be installed on the Project despite its inability to safely withstand live loads of at least 100 PSF;
- i. Permitting the subject gangway to be installed on the Project despite the fact that it was dangerous and susceptible to collapse;
- j. Failing to ensure design calculations for the subject gangway were performed;
- k. Failing to ensure design calculations for the subject gangway were provided;
- l. Failing to properly oversee the design, construction, and installation of the subject gangway;
- m. Failing to properly supervise and oversee the work of its subcontractors, including but not limited to EMC Engineering;
- n. Failing to abide by the terms of its contract with DNR;
- o. Failing to abide by the Contract Documents, including but not limited to the Specifications;
- p. Failing to abide by the applicable terms and requirements of The Process Guide;
- q. Failing to ensure the subject gangway satisfied the design criteria set forth in the Project Specifications;
- r. Failing to ensure the subject gangway was designed such that it was capable of safely supporting live loads of at least 100 PSF;
- s. Failing to recognize that design calculations for the subject gangway were not performed and provided or were otherwise totally inadequately performed and take appropriate corrective action;
- t. Failing to recognize that the final design/shop drawings for the subject gangway were not stamped and sealed by a professional engineer;
- u. Permitting the subject gangway to be installed on the Project despite no Professional Engineer ever reviewing, approving, and/or certifying the final design calculations; and
- v. Permitting the subject gangway to be installed on the Project despite no Professional Engineer stamping and sealing the final design calculations and/or shop drawings.

**243.** As a direct and proximate result of Defendant, Stevens & Wilkinson's conduct, Plaintiffs suffered the catastrophic injuries and damages alleged and claimed herein.

**244.** By conducting itself as set forth herein, Defendant, Stevens & Wilkinson's, acts and/or omissions were a substantial factor in, a factual cause of, and/or increased the risk of harm to Plaintiffs.

**245.** Defendant, Stevens & Wilkinson, is liable to Plaintiffs for all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses suffered by Plaintiffs and the decedents as a direct and proximate result of Stevens & Wilkinson's acts and/or omissions.

**246.** The actions and/or inactions of Defendant, Stevens & Wilkinson, were willful, wanton, and demonstrated that entire want of care which raises the presumption of a conscious indifference to consequences and the harm that would foreseeably be inflicted on Plaintiffs. Accordingly, Defendant, Stevens & Wilkinson, is liable to Surviving Plaintiffs and Estate Plaintiffs for punitive damages to punish, penalize, and deter Defendant from similar conduct in the future, in addition to all economic and noneconomic compensatory damages Plaintiffs are entitled to recover under the law.

## **COUNT II – PROFESSIONAL NEGLIGENCE**

### **ALL PLAINTIFFS v. STEVENS & WILKINSON, INC. AND STEVENS & WILKINSON GA, INC.**

**247.** Plaintiffs hereby reallege and incorporate herein the allegations contained in the previous paragraphs as if each were fully set forth herein in their entirety.

**248.** Defendant, Stevens & Wilkinson, had a duty to exercise ordinary care, skill, and diligence in providing architectural and design professional services on the Project that was in accordance with applicable professional standard of care for architects and design professionals under like circumstances and similar conditions.



**249.** Defendant, Stevens & Wilkinson, acting by and through its employees, agents, and/or servants, breached the aforementioned duty to provide architectural and design professional services in accordance with the standard of care for such professionals both generally and in the following particular respects:

- a.** Failing to ensure the required submittals were provided for the subject gangway prior to its installation on the Project;
- b.** Failing to ensure design calculations were provided by Crescent demonstrating the subject gangway met the performance criteria set forth in the Project Specifications;
- c.** Failing to ensure a Professional Engineer reviewed, stamped, and sealed the final design calculations and/or shop drawings for the subject gangway prior to the gangway being installed on the Project;
- d.** Failing to certify the subject gangway was in compliance with the provisions of the Contract Documents;
- e.** Failing to require EMC Engineers to review, approve, stamp and seal final design calculations and/or shop drawings for the subject gangway;
- f.** Permitting the subject gangway to be installed on the Project;
- g.** Permitting the subject gangway to be installed on the Project despite the lack of required submittals;
- h.** Permitting the subject gangway to be installed on the Project despite its inability to safely withstand live loads of at least 100 PSF;
- i.** Permitting the subject gangway to be installed on the Project despite the fact that it was dangerous and susceptible to collapse;
- j.** Failing to ensure design calculations for the subject gangway were performed;
- k.** Failing to ensure design calculations for the subject gangway were provided;
- l.** Failing to properly oversee the design, construction, and installation of the subject gangway;
- m.** Failing to properly supervise and oversee the work of its subcontractors, including but not limited to EMC Engineering;
- n.** Failing to abide by the terms of its contract with DNR;
- o.** Failing to abide by the Contract Documents, including but not limited to the Specifications;
- p.** Failing to abide by the applicable terms and requirements of The Process Guide;

- q. Failing to ensure the subject gangway satisfied the design criteria set forth in the Project Specifications;
- r. Failing to ensure the subject gangway was designed such that it was capable of safely supporting live loads of at least 100 PSF;
- s. Failing to recognize that design calculations for the subject gangway were not performed and provided or were otherwise totally inadequately performed and take appropriate corrective action;
- t. Failing to recognize that the final design/shop drawings for the subject gangway were not stamped and sealed by a professional engineer;
- u. Permitting the subject gangway to be installed on the Project despite no Professional Engineer ever reviewing, approving, and/or certifying the final design calculations; and
- v. Permitting the subject gangway to be installed on the Project despite no Professional Engineer stamping and sealing the final design calculations and/or shop drawings.

**250.** In accordance with O.C.G.A. § 9-11-9.1(a), Plaintiff is attaching as **Exhibit A** the Affidavit of architect and engineer, Scott Nacheman, MSc.Eng., AIA, which sets forth at least one negligent act or omission of Defendant, Stevens & Wilkinson, and the factual basis for each such allegation.

**251.** As a direct and proximate result of Defendant, Stevens & Wilkinson's conduct, Plaintiffs suffered the catastrophic injuries and damages alleged and claimed herein.

**252.** By conducting itself as set forth herein, Defendant, Stevens & Wilkinson's, acts and/or omissions were a substantial factor in, a factual cause of, and/or increased the risk of harm to Plaintiffs.

**253.** Defendant, Stevens & Wilkinson, is liable to Plaintiffs for all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses suffered by Plaintiffs and the decedents as a direct and proximate result of Stevens & Wilkinson's acts and/or omissions.

**254.** The actions and/or inactions of Defendant, Stevens & Wilkinson, were willful, wanton, and demonstrated that entire want of care which raises the presumption of a conscious indifference to consequences and the harm that would foreseeably be inflicted on Plaintiffs. Accordingly, Defendant, Stevens & Wilkinson, is liable to Surviving Plaintiffs and Estate Plaintiffs for punitive damages to punish, penalize, and deter Defendant from similar conduct in the future, in addition to all economic and noneconomic compensatory damages Plaintiffs are entitled to recover under the law.

### **COUNT III – ORDINARY NEGLIGENCE**

#### **ALL PLAINTIFFS v. CENTENNIAL CONTRACTORS ENTERPRISES, INC.**

**255.** Plaintiffs hereby reallege and incorporate herein the allegations contained in the previous paragraphs as if each were fully set forth herein in their entirety.

**256.** Defendant, Centennial, was the general contractor on the Project and identified and designated as the Contractor throughout the relevant contracts, Contract Documents, and Project Specifications.

**257.** Defendant, Centennial, was under a duty to exercise ordinary care in its performance as the general contractor and/or designated Contractor for the Project.

**258.** Defendant, Centennial, as the general contractor and/or designated Contractor on the Project, had extensive knowledge of all construction activities performed on the Project and was intimately involved with the construction activities relevant here, including but not limited to the procurement, construction, and installation of the subject gangway.

**259.** Under its contract with DNR, Defendant, Centennial, was required to furnish all labor, tools and equipment to perform all the work shown on the Project drawings and called for in the specifications as prepared by Stevens & Wilkinson.

**260.** Under the General Conditions to Defendant, Centennial's, contract with DNR, Centennial explicitly assumed responsibility for the proper completion of the activities described in the Contract Documents, including design, construction, and installation of the subject gangway.

**261.** Under the General Conditions to Defendant, Centennial's, contract with DNR, Centennial was required to review, approve and submit to Stevens & Wilkinson all shop drawings required by the Contract Documents, including but not limited to shop drawings for the subject gangway.

**262.** Under the General Conditions to Defendant, Centennial's, contract with DNR, Centennial was not permitted to do any work without complete, definite, and clear drawings and specifications and, in the event the Contract Documents were not complete, definite, and clear, Centennial was required to demand the same before doing any work, including performing, assisting, and/or overseeing the installation of the subject gangway.

**263.** Defendant, Centennial, egregiously violated the requirements of its contract and the General Conditions thereto by approving the installation of the subject gangway and performing, assisting, and/or overseeing said installation without the required final design calculations and shop drawings of the subject gangway.

**264.** Defendant, Centennial, egregiously violated the requirements of its contract and the General Conditions thereto by failing to receive and/or demand final design calculations and shop drawings pertaining to the subject gangway from Crescent or others, and by failing to properly ensure the work was performed in accordance with the Contract Documents.

**265.** As the general contractor and/or designated Contractor on the Project, Defendant, Centennial, was required to ensure that all materials and components installed on the Project,

including but not limited to the subject gangway, were quality components and safe for their application and use on the Project.

**266.** As the general contractor and/or designated Contractor on the Project, Defendant, Centennial, was required to ensure that all structural components on the Project, including but not limited to the subject gangway, were designed and built consistent with the design requirements set forth in the Contract Documents and were safe for installation on the Project.

**267.** Defendant, Centennial, selected, retained, and/or hired Crescent to design, fabricate, and supply the subject 80-foot gangway.

**268.** Under the General Conditions to Defendant, Centennial's, contract with DNR, Centennial warranted that the subcontractors selected and retained by Centennial were reputable, skilled, reliable, competent, qualified in the role they were to perform with respect to the Project, and thoroughly familiar with the applicable codes.

**269.** Under the General Conditions to Defendant, Centennial's, contract with DNR, Centennial explicitly assumed full responsibility for the acts and omissions of Centennial's subcontractors, materialmen, and suppliers, which included Crescent for this Project.

**270.** Defendant, Centennial, was careless and negligent in selecting Crescent as the subcontractor/supplier responsible for designing, fabricating, and supplying the subject 80-foot gangway for the Project.

**271.** Defendant, Centennial, knew or should have discovered through basic due diligence that Defendant, Crescent, was woefully inept and was neither reputable, skilled, reliable, competent, or qualified to design, fabricate, and supply a safe gangway in compliance with the applicable design requirements and specifications.

**272.** Upon information and belief, Defendant, Centennial, selected Crescent not due to Crescent's reputation, skill, reliability, competency, and/or qualifications to design, fabricate, and supply a safe and well-built gangway, but rather due to cost considerations.

**273.** Defendant, Centennial, being intimately involved in the installation of the subject 80-foot gangway and being a professional and sophisticated construction firm, should have easily and immediately recognized the substandard, dangerous, and unstable nature of the subject gangway during the installation process and taken immediate corrective action by preventing the subject gangway from being installed on the Project and demanding proof the design and construction was consistent with the design requirements under the Contract Documents. The substandard, dangerous, and unstable nature of the subject gangway should have been recognizable and observable to a professional and sophisticated, and the DNR relied on Centennial for such issues.

**274.** Following installation of the subject gangway, when welds began to fail only approximately a year after the gangway's installation, Defendant, Centennial, as a professional and sophisticated construction firm, should have recognized the workmanship and construction of the gangway was poor and rendered the subject gangway dangerous.

**275.** When welds on the subject gangway began to fail only approximately a year after the gangway's installation, Defendant, Centennial, as a professional and sophisticated construction firm, should have performed a full evaluation and/or reevaluation of the subject gangway to confirm it was designed and constructed in accordance with the Contract Documents and had Centennial done so, the glaring deficiencies could have been flagged and remedial action taken.

**276.** Following the catastrophic failure and collapse of a gangway designed and fabricated by Crescent in St. Mary's, Georgia, Defendant, Centennial, should have performed a

full evaluation and/or reevaluation of the subject gangway to confirm it was designed and constructed in accordance with the Contract Documents and had Centennial done so, the deficiencies could have been flagged and remedial action taken.

**277.** Defendant, Centennial, acting by and through its employees, agents, and/or servants, acted carelessly and negligent, both generally and in the following particular respects:

- a.** Installing and/or permitting and overseeing the installation of, a dangerous and inadequately designed and built gangway on the Project;
- b.** Failing to ensure the required submittals were provided for the subject gangway prior to its installation on the Project;
- c.** Failing to ensure design calculations were provided by Crescent demonstrating the subject gangway met the performance criteria set forth in the Project Specifications;
- d.** Failing to ensure a Professional Engineer reviewed, stamped, and sealed the final design calculations and/or shop drawings for the subject gangway prior to the gangway being installed on the Project;
- e.** Failing to certify the subject gangway was in compliance with the provisions of the Contract Documents;
- f.** Failing to require a Professional Engineer to review, approve, stamp and seal final design calculations and/or shop drawings for the subject gangway;
- g.** Failing to ensure that all structural components on the Project, including but not limited to the subject gangway, were designed and built consistent with the design requirements set forth in the Contract Documents and were safe for installation on the Project;
- h.** Permitting the subject gangway to be installed on the Project;
- i.** Permitting the subject gangway to be installed on the Project despite the lack of required submittals;
- j.** Permitting the subject gangway to be installed on the Project despite its inability to safely withstand live loads of at least 100 PSF;
- k.** Permitting the subject gangway to be installed on the Project despite the fact that it was dangerous and susceptible to collapse;
- l.** Failing to ensure design calculations for the subject gangway were performed;
- m.** Failing to ensure design calculations for the subject gangway were provided;
- n.** Failing to properly oversee the design, construction, and installation of the subject gangway;

- o.** Retaining and hiring Crescent to design and fabricate the subject gangway;
- p.** Retaining and hiring Crescent to design and fabricate the subject gangway without performing adequate due diligence with respect to Crescent's reputation, skill, reliability, competency, and/or qualifications to design, fabricate, and supply a safe and well-built gangway;
- q.** Retaining and hiring Crescent to design and fabricate the subject gangway based on cost considerations;
- r.** Failing to properly supervise and oversee the work of its subcontractors, including but not limited to Crescent;
- s.** Failing to abide by the terms of its contract with DNR;
- t.** Failing to abide by the Contract Documents, including but not limited to the Specifications;
- u.** Failing to ensure the subject gangway satisfied the design criteria set forth in the Project Specifications;
- v.** Failing to ensure the subject gangway was designed such that it was capable of safely supporting live loads of at least 100 PSF;
- w.** Failing to prevent the installation of the subject gangway on the Project;
- x.** Failing to recognize the clearly inadequate, unsafe, insufficient, and unstable nature of the subject gangway;
- y.** Failing to recognize that design calculations for the subject gangway were not performed and provided or were otherwise totally inadequately performed and take appropriate corrective action;
- z.** Failing to recognize that the final design/shop drawings for the subject gangway were not stamped and sealed by a professional engineer;
- aa.** Permitting the subject gangway to be installed on the Project despite no Professional Engineer ever reviewing, approving, and/or certifying the final design calculations;
- bb.** Permitting the subject gangway to be installed on the Project despite no Professional Engineer stamping and sealing the final design calculations and/or shop drawings;
- cc.** Failing to perform a full evaluation and/or reevaluation of the stability and sufficiency of the subject gangway once the welds on the gangway started failing only approximately a year after the gangway was installed;
- dd.** Failing to perform a full evaluation and/or reevaluation of the stability and sufficiency of the subject gangway once the gangway in St. Mary's, designed and fabricated by Crescent, collapsed; and
- ee.** Failing to remove the subject gangway from service and/or use.



**278.** As a direct and proximate result of Defendant, Centennial's, conduct, Plaintiffs suffered the catastrophic injuries and damages alleged and claimed herein.

**279.** By conducting itself as set forth herein, Defendant, Centennial's, acts and/or omissions were a substantial factor in, a factual cause of, and/or increased the risk of harm to Plaintiffs.

**280.** Defendant, Centennial, is liable to Plaintiffs for all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses suffered by Plaintiffs and the decedents as a direct and proximate result of Centennial's acts and/or omissions.

**281.** The actions and/or inactions of Defendant, Centennial, were willful, wanton, and demonstrated that entire want of care which raises the presumption of a conscious indifference to consequences and the harm that would foreseeably be inflicted on Plaintiffs. Accordingly, Defendant, Centennial, is liable to Surviving Plaintiffs and Estate Plaintiffs for punitive damages to punish, penalize, and deter Defendant from similar conduct in the future, in addition to all economic and noneconomic compensatory damages Plaintiffs are entitled to recover under the law.

#### **COUNT IV – ORDINARY NEGLIGENCE**

##### **ALL PLAINTIFFS v. EMC ENGINEERING SERVICES, INC.**

**282.** Plaintiffs hereby reallege and incorporate herein the allegations contained in the previous paragraphs as if each were fully set forth herein in their entirety.

**283.** At all times hereto, Defendant, EMC, was under a duty to exercise ordinary care in its performance as the structural and/or civil engineer retained by the Design Professional for the Project.

**284.** Defendant, EMC, had a duty to exercise ordinary care in making sure the required submittals pertaining to the subject 80-foot gangway were collected, reviewed, and approved before Defendant Crescent was given authorization to fabricate the subject gangway.

**285.** Defendant, EMC, had a duty to exercise ordinary care in making sure the required submittals pertaining to the subject 80-foot gangway were collected, reviewed, and approved before the subject gangway was installed on site.

**286.** Defendant, EMC, had a duty to exercise ordinary care in ensuring that the subject gangway complied with the live load requirements set forth in the Project Specifications.

**287.** Defendant, EMC, had a duty to request final design calculations and shop drawings from Crescent before permitting the subject gangway to be installed.

**288.** Defendant, EMC, had a duty to alert others on the Project when Crescent failed to provide the required submittals for the subject gangway.

**289.** Defendant, EMC, had a duty to review, approve, stamp, and seal the final design calculations and shop drawings from Crescent before permitting the subject gangway to be installed on the Project.

**290.** Defendant, EMC, knew or certainly should have known that permitting the subject gangway to be installed on the Project despite the fact that the required submittals for the subject gangway, including final design calculations and shop drawings stamped and sealed by a professional engineer, were not done or provided, would result in a dangerous gangway being installed on the Project that would foreseeably subject countless citizens, including Plaintiffs herein, to unreasonable and unacceptable risks of severe injury and/or death.

**291.** Defendant, EMC, knew or certainly should have known that permitting the subject gangway to be installed on the Project despite the fact that nobody certified the gangway satisfied

the design criteria would result in a dangerous gangway being installed on the Project that would foreseeably subject countless citizens, including Plaintiffs herein, to unreasonable and unacceptable risks of severe injury and/or death.

**292.** Despite the aforementioned knowledge, Defendant, EMC, failed to alert the required personnel that Crescent's final and complete submittals were not received and thus permitted the subject gangway to be installed on the Project anyway.

**293.** Defendant, EMC, breached all of its aforementioned duties to exercise ordinary care, and this tragedy occurred as a result.

**294.** Defendant, EMC, had numerous opportunities to recognize that the required submittals were not provided and/or that any design calculations that were provided clearly demonstrated that the subject gangway was incapable of withstanding the live load requirements under the Project Specifications.

**295.** Defendant, EMC, acting by and through its employees, agents, and/or servants, acted carelessly and negligent, both generally and in the following particular respects:

- a.** Failing to ensure the required submittals were provided for the subject gangway prior to its installation on the Project;
- b.** Failing to ensure design calculations were provided by Crescent demonstrating the subject gangway met the performance criteria set forth in the Project Specifications;
- c.** Failing to ensure a Professional Engineer reviewed, stamped, and sealed the final design calculations and/or shop drawings for the subject gangway prior to the gangway being installed on the Project;
- d.** Failing to certify the subject gangway was in compliance with the provisions of the Contract Documents;
- e.** Failing to review, approve, stamp and seal final design calculations and/or shop drawings for the subject gangway;
- f.** Failing to request final design calculations and shop drawings from Crescent;
- g.** Failing to alert appropriate personnel of the lack of required submittals for the subject gangway;

- h.** Permitting the subject gangway to be installed on the Project;
- i.** Permitting the subject gangway to be installed on the Project despite the lack of required submittals;
- j.** Permitting the subject gangway to be installed on the Project despite its inability to safely withstand live loads of at least 100 PSF;
- k.** Permitting the subject gangway to be installed on the Project despite the fact that it was dangerous and susceptible to collapse;
- l.** Failing to ensure design calculations for the subject gangway were performed;
- m.** Failing to ensure design calculations for the subject gangway were provided;
- n.** Failing to properly oversee the design, construction, and installation of the subject gangway;
- o.** Failing to abide by the terms of its contract with Stevens & Wilkinson;
- p.** Failing to abide by the Contract Documents, including but not limited to the Specifications;
- q.** Failing to ensure the subject gangway satisfied the design criteria set forth in the Project Specifications;
- r.** Failing to ensure the subject gangway was designed such that it was capable of safely supporting live loads of at least 100 PSF;
- s.** Failing to recognize that design calculations for the subject gangway were not performed and provided or were otherwise totally inadequately performed and take appropriate corrective action;
- t.** Failing to recognize that the final design/shop drawings for the subject gangway were not stamped and sealed by a professional engineer;
- u.** Permitting the subject gangway to be installed on the Project despite no Professional Engineer ever reviewing, approving, and/or certifying the final design calculations; and
- v.** Permitting the subject gangway to be installed on the Project despite no Professional Engineer stamping and sealing the final design calculations and/or shop drawings.

**296.** As a direct and proximate result of Defendant, EMC's, conduct, Plaintiffs suffered the catastrophic injuries and damages alleged and claimed herein.

**297.** By conducting itself as set forth herein, Defendant, EMC's, acts and/or omissions were a substantial factor in, a factual cause of, and/or increased the risk of harm to Plaintiffs.

**298.** Defendant, EMC, is liable to Plaintiffs for all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses suffered by Plaintiffs and the decedents as a direct and proximate result of EMC's acts and/or omissions.

**299.** The actions and/or inactions of Defendant, EMC, were willful, wanton, and demonstrated that entire want of care which raises the presumption of a conscious indifference to consequences and the harm that would foreseeably be inflicted on Plaintiffs. Accordingly, Defendant, EMC, is liable to Surviving Plaintiffs and Estate Plaintiffs for punitive damages to punish, penalize, and deter Defendant from similar conduct in the future, in addition to all economic and noneconomic compensatory damages Plaintiffs are entitled to recover under the law.

#### **COUNT V – PROFESSIONAL NEGLIGENCE**

##### **ALL PLAINTIFFS v. EMC ENGINEERING SERVICES, INC.**

**300.** Plaintiffs hereby reallege and incorporate herein the allegations contained in the previous paragraphs as if each were fully set forth herein in their entirety.

**301.** Defendant, EMC, had a duty to exercise ordinary care, skill, and diligence in providing professional engineering services on the Project that was in accordance with applicable professional standard of care for professional engineers under like circumstances and similar conditions.

**302.** Defendant, EMC, acting by and through its employees, agents, and/or servants, breached the aforementioned duty to provide professional engineering services in accordance with the standard of care for such professionals both generally and in the following particular respects:

- a.** Failing to ensure the required submittals were provided for the subject gangway prior to its installation on the Project;
- b.** Failing to ensure design calculations were provided by Crescent demonstrating the subject gangway met the performance criteria set forth in the Project Specifications;

- c. Failing to ensure a Professional Engineer reviewed, stamped, and sealed the final design calculations and/or shop drawings for the subject gangway prior to the gangway being installed on the Project;
- d. Failing to certify the subject gangway was in compliance with the provisions of the Contract Documents;
- e. Failing to review, approve, stamp and seal final design calculations and/or shop drawings for the subject gangway;
- f. Failing to request final design calculations and shop drawings from Crescent;
- g. Failing to alert appropriate personnel of the lack of required submittals for the subject gangway;
- h. Permitting the subject gangway to be installed on the Project;
- i. Permitting the subject gangway to be installed on the Project despite the lack of required submittals;
- j. Permitting the subject gangway to be installed on the Project despite its inability to safely withstand live loads of at least 100 PSF;
- k. Permitting the subject gangway to be installed on the Project despite the fact that it was dangerous and susceptible to collapse;
- l. Failing to ensure design calculations for the subject gangway were performed;
- m. Failing to ensure design calculations for the subject gangway were provided;
- n. Failing to properly oversee the design, construction, and installation of the subject gangway;
- o. Failing to abide by the terms of its contract with Stevens & Wilkinson;
- p. Failing to abide by the Contract Documents, including but not limited to the Specifications;
- q. Failing to ensure the subject gangway satisfied the design criteria set forth in the Project Specifications;
- r. Failing to ensure the subject gangway was designed such that it was capable of safely supporting live loads of at least 100 PSF;
- s. Failing to recognize that design calculations for the subject gangway were not performed and provided or were otherwise totally inadequately performed and take appropriate corrective action;
- t. Failing to recognize that the final design/shop drawings for the subject gangway were not stamped and sealed by a professional engineer;
- u. Permitting the subject gangway to be installed on the Project despite no Professional Engineer ever reviewing, approving, and/or certifying the final design calculations; and

- v. Permitting the subject gangway to be installed on the Project despite no Professional Engineer stamping and sealing the final design calculations and/or shop drawings.

**303.** In accordance with O.C.G.A. § 9-11-9.1(a), Plaintiff is attaching as **Exhibit B** the Affidavit of professional engineer, Dennis M. McCann, Ph.D., P.E., which sets forth at least one negligent act or omission of Defendant, EMC, and the factual basis for each such allegation.

**304.** As a direct and proximate result of Defendant, EMC's, conduct, Plaintiffs suffered the catastrophic injuries and damages alleged and claimed herein.

**305.** By conducting itself as set forth herein, Defendant, EMC's, acts and/or omissions were a substantial factor in, a factual cause of, and/or increased the risk of harm to Plaintiffs.

**306.** Defendant, EMC, is liable to Plaintiffs for all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses suffered by Plaintiffs and the decedents as a direct and proximate result of EMC's acts and/or omissions.

**307.** The actions and/or inactions of Defendant, EMC, were willful, wanton, and demonstrated that entire want of care which raises the presumption of a conscious indifference to consequences and the harm that would foreseeably be inflicted on Plaintiffs. Accordingly, Defendant, EMC, is liable to Surviving Plaintiffs and Estate Plaintiffs for punitive damages to punish, penalize, and deter Defendant from similar conduct in the future, in addition to all economic and noneconomic compensatory damages Plaintiffs are entitled to recover under the law.

#### **COUNT VI – ORDINARY NEGLIGENCE**

#### **ALL PLAINTIFFS v. CRESCENT EQUIPMENT CO., INC. d/b/a CRESCENT MARINE ACCESS**

**308.** Plaintiffs hereby reallege and incorporate herein the allegations contained in the previous paragraphs as if each were fully set forth herein in their entirety.

**309.** At all times hereto, Defendant, Crescent, was the company hired to design, fabricate, and supply the subject 80-foot gangway.

**310.** Defendant, Crescent, had a duty to abide by the terms and requirements of the Project Specifications, including those which required the subject gangway to be designed and built such that it could withstand at least 100 PSF live load.

**311.** Defendant, Crescent, had a duty to exercise ordinary care in designing, fabricating, and supplying the subject 80-foot gangway.

**312.** Defendant, Crescent, had a duty to exercise ordinary care in ensuring the required submittals for the subject gangway were created and provided to the appropriate and/or required personnel.

**313.** Defendant, Crescent, had a duty to exercise ordinary care in designing, fabricating, and supplying a safe gangway that satisfied all applicable design criteria, including the requirement that the gangway safely withstand at least 100 PSF live load.

**314.** Defendant, Crescent, had a duty to create and provide final design calculations and shop drawings supplying the subject gangway to the Project.

**315.** Defendant, Crescent, had a duty to only agree to design and fabricate the subject 80-foot gangway if it was skilled, reliable, competent, and qualified to do so.

**316.** Defendant, Crescent, knew or certainly should have known that supplying the subject gangway to be installed on the Project despite the fact that the subject gangway was not designed and constructed in a manner compliant with the Project Specifications, namely the requirement that the subject gangway be able to safely withstand a live load of at least 100 PSF, would result in a dangerous gangway being installed on the Project that would foreseeably subject



countless citizens, including Plaintiffs herein, to unreasonable and unacceptable risks of severe injury and/or death.

**317.** Defendant, Crescent, knew or certainly should have known that supplying the subject gangway to be installed on the Project despite the fact that the required submittals for the subject gangway, including final design calculations and shop drawings stamped and sealed by a professional engineer, were not done or provided, would result in a dangerous gangway being installed on the Project that would foreseeably subject countless citizens, including Plaintiffs herein, to unreasonable and unacceptable risks of severe injury and/or death.

**318.** Defendant, Crescent, knew or certainly should have known that supplying the subject gangway to be installed on the Project despite the fact that nobody certified the gangway satisfied the design criteria would result in a dangerous gangway being installed on the Project that would foreseeably subject countless citizens, including Plaintiffs herein, to unreasonable and unacceptable risks of severe injury and/or death.

**319.** Despite the aforementioned knowledge, Defendant, Crescent, failed to design the subject gangway in compliance with the design requirements under the Project Specifications, namely the requirement that the subject gangway safely withstand a live load of at least 100 PSF.

**320.** Defendant, Crescent, breached all of its aforementioned duties to exercise ordinary care, and this tragedy occurred as a result.

**321.** Defendant, Crescent, was totally unqualified to design and build the subject gangway in compliance with all applicable Project Specifications.

**322.** Defendant, Crescent, acting by and through its employees, agents, and/or servants, acted carelessly and negligent, both generally and in the following particular respects:

- a.** Designing and fabricating a dangerous gangway susceptible to collapse;

- b.** Designing and fabricating a dangerous gangway that was not compliant with the Project Specifications;
- c.** Designing and fabricating a dangerous gangway that was not capable of withstanding a live load of at least 100 PSF;
- d.** Failing to perform final design calculations for the subject 80-foot gangway;
- e.** Failing to create final shop drawings for the subject 80-foot gangway;
- f.** Violating the terms of its contract and/or agreement;
- g.** Designing and fabricating the subject gangway such that it would foreseeably collapse;
- h.** Fabricating the subject gangway in a manner inconsistent with the design drawings and specifications;
- i.** Fabricating the subject gangway in a dangerous, unsafe, and unstable manner;
- j.** Utilizing flimsy and wholly insufficient structural members in the design and fabrication of the subject gangway;
- k.** Failing to ensure the required submittals were provided for the subject gangway prior to supplying the gangway to the Project;
- l.** Failing to ensure a Professional Engineer reviewed, stamped, and sealed the final design calculations and/or shop drawings for the subject gangway prior to the gangway being supplied to the Project;
- m.** Failing to certify the subject gangway was in compliance with the provisions of the Contract Documents;
- n.** Failing to get the final design calculations and shop drawings approved, stamped and sealed;
- o.** Misrepresenting its skill, competence, experience, and capabilities with respect to designing and constructing safe gangways in compliance with design specifications and requirements;
- p.** Agreeing to design and fabricate the subject 80-foot gangway despite its incompetence, lack of skill, lack of experience, and lack of capabilities to do so safely;
- q.** Failing to alert appropriate personnel of the lack of required submittals for the subject gangway;
- r.** Supplying the subject gangway to be installed on the Project;
- s.** Supplying the subject gangway to be installed on the Project despite the lack of required submittals;
- t.** Supplying the subject gangway to be installed on the Project despite its inability to safely withstand live loads of at least 100 PSF;

- u. Supplying the subject gangway to be installed on the Project despite the fact that it was dangerous and susceptible to collapse;
- v. Failing to ensure design calculations for the subject gangway were performed;
- w. Failing to ensure design calculations for the subject gangway were provided;
- x. Failing to properly oversee the design, construction, and installation of the subject gangway;
- y. Supplying the subject gangway to be installed on the Project despite no Professional Engineer stamping and sealing the final design calculations and/or shop drawings.

**323.** As a direct and proximate result of Defendant, Crescent's, conduct, Plaintiffs suffered the catastrophic injuries and damages alleged and claimed herein.

**324.** By conducting itself as set forth herein, Defendant, Crescent's, acts and/or omissions were a substantial factor in, a factual cause of, and/or increased the risk of harm to Plaintiffs.

**325.** Defendant, Crescent, is liable to Plaintiffs for all economic and noneconomic damages recoverable under Georgia law for the injuries, damages, and losses suffered by Plaintiffs and the decedents as a direct and proximate result of Crescent's acts and/or omissions.

**326.** The actions and/or inactions of Defendant, Crescent, were willful, wanton, and demonstrated that entire want of care which raises the presumption of a conscious indifference to consequences and the harm that would foreseeably be inflicted on Plaintiffs. Accordingly, Defendant, Crescent, is liable to Surviving Plaintiffs and Estate Plaintiffs for punitive damages to punish, penalize, and deter Defendant from similar conduct in the future, in addition to all economic and noneconomic compensatory damages Plaintiffs are entitled to recover under the law.

## **COUNT VII – WRONGFUL DEATH**

### **VANESSA WILLIAMS and ANGELA MOSLEY, as the Surviving Children of JACQUELINE CREWS CARTER v. ALL DEFENDANTS**

327. Plaintiffs hereby reallege and incorporate herein the allegations contained in the previous paragraphs as if each were fully set forth herein in their entirety.

328. Plaintiffs, Vanessa Williams and Angela Mosley, are the Surviving Children of decedent, Jacqueline Crews Carter.

329. Jacqueline Crews Carter did not leave behind a surviving spouse.

330. Pursuant to O.C.G.A. § 51-4-2, the surviving children are the proper party to bring the wrongful death claims asserted in this lawsuit for the death of their mother.

331. Plaintiffs, Vanessa Williams and Angela Mosley, as the Surviving Children of decedent, Jacqueline Crews Carter, claim all damages available under the Georgia Wrongful Death statute, O.C.G.A. § 51-4-1, *et seq.*, including but not limited to the full value of the life of the decedent.

## **COUNT VIII – SURVIVAL**

### **VANESSA WILLIAMS and ANGELA MOSLEY, as the Personal Representatives of the Estate of JACQUELINE CREWS CARTER v. ALL DEFENDANTS**

332. Plaintiffs hereby reallege and incorporate herein the allegations contained in the previous paragraphs as if each were fully set forth herein in their entirety.

333. Plaintiffs, Vanessa Williams and Angela Mosley, as Personal Representatives of the Estate of Jacqueline Crews Carter, hereby brings this action on behalf of the Estate of Jacqueline Crews Carter pursuant to the Georgia Survival Statute, O.C.G.A. § 9-2-41, and claims all damages recoverable thereunder, including but not limited to for all pre-death physical and emotional pain

and suffering, lost wages from the time of injury until death, medical expenses from time of injury until death, and funeral expenses.

### **COUNT IX – WRONGFUL DEATH**

#### **KAREN THOMAS, as the Surviving Spouse of ISAIAH THOMAS v. ALL DEFENDANTS**

334. Plaintiffs hereby reallege and incorporate herein the allegations contained in the previous paragraphs as if each were fully set forth herein in their entirety.

335. Plaintiff, Karen Thomas, is the Surviving Spouse of decedent, Isaiah Thomas.

336. Pursuant to O.C.G.A. § 51-4-2, the surviving spouse is the proper party to bring the wrongful death claims asserted in this lawsuit for the death of Isaiah Thomas.

337. Plaintiff, Karen Thomas, as the Surviving Spouse of decedent, Isaiah Thomas, claims all damages available under the Georgia Wrongful Death statute, O.C.G.A. § 51-4-1, *et seq.*, including but not limited to the full value of the life of the decedent.

### **COUNT X – SURVIVAL**

#### **KISHA HARAWAY, as the Personal Representative of the Estate of ISAIAH THOMAS v. ALL DEFENDANTS**

338. Plaintiffs hereby reallege and incorporate herein the allegations contained in the previous paragraphs as if each were fully set forth herein in their entirety.

339. Plaintiff, Kisha Haraway, as Personal Representative of the Estate of Isaiah Thomas, hereby brings this action on behalf of the Estate of Isaiah Thomas pursuant to the Georgia Survival Statute, O.C.G.A. § 9-2-41, and claims all damages recoverable thereunder, including but not limited to for all pre-death physical and emotional pain and suffering, lost wages from the time of injury until death, medical expenses from time of injury until death, and funeral expenses.

## **COUNT XI – WRONGFUL DEATH**

### **VAUGHN HASSAN, as the Surviving Child of CARLOTTA McINTOSH v. ALL DEFENDANTS**

**340.** Plaintiffs hereby reallege and incorporate herein the allegations contained in the previous paragraphs as if each were fully set forth herein in their entirety.

**341.** Plaintiff, Vaughn Hassan, is the Surviving Child of decedent, Carlotta McIntosh.

**342.** Decedent, Carlotta McIntosh, did not leave a surviving spouse.

**343.** Pursuant to O.C.G.A. § 51-4-2, the surviving child is the proper party to bring the wrongful death claims asserted in this lawsuit for the death of Carlotta McIntosh.

**344.** Plaintiff, Vaughn Hassan, as the Surviving Child of decedent, Carlotta McIntosh, claims all damages available under the Georgia Wrongful Death statute, O.C.G.A. § 51-4-1, *et seq.*, including but not limited to the full value of the life of the decedent.

## **COUNT XII – SURVIVAL**

### **VAUGHN HASSAN, as the Personal Representative of the Estate of CARLOTTA McINTOSH v. ALL DEFENDANTS**

**345.** Plaintiffs hereby reallege and incorporate herein the allegations contained in the previous paragraphs as if each were fully set forth herein in their entirety.

**346.** Plaintiff, Vaughn Hassan, as Personal Representative of the Estate of Carlotta McIntosh, hereby brings this action on behalf of the Estate of Carlotta McIntosh pursuant to the Georgia Survival Statute, O.C.G.A. § 9-2-41, and claims all damages recoverable thereunder, including but not limited to for all pre-death physical and emotional pain and suffering, lost wages from the time of injury until death, medical expenses from time of injury until death, and funeral expenses.

### **COUNT XIII – WRONGFUL DEATH**

#### **THOMAS TUCKER, as the Surviving Child of CYNTHIA GIBBS v. ALL DEFENDANTS**

347. Plaintiffs hereby reallege and incorporate herein the allegations contained in the previous paragraphs as if each were fully set forth herein in their entirety.

348. Plaintiff, Thomas Tucker, is the Surviving Child of decedent, Cynthia Gibbs.

349. Decedent, Cynthia Gibbs, did not leave a surviving spouse.

350. Pursuant to O.C.G.A. § 51-4-2, the surviving child is the proper party to bring the wrongful death claims asserted in this lawsuit for the death of Cynthia Gibbs.

351. Plaintiff, Thomas Tucker, as the Surviving Child of decedent, Cynthia Gibbs, claims all damages available under the Georgia Wrongful Death statute, O.C.G.A. § 51-4-1, *et seq.*, including but not limited to the full value of the life of the decedent.

### **COUNT XIV – SURVIVAL**

#### **THOMAS TUCKER, as the Personal Representative of the Estate of CYNTHIA GIBBS v. ALL DEFENDANTS**

352. Plaintiffs hereby reallege and incorporate herein the allegations contained in the previous paragraphs as if each were fully set forth herein in their entirety.

353. Plaintiff, Thomas Tucker, as Personal Representative of the Estate of Cynthia Gibbs, hereby brings this action on behalf of the Estate of Cynthia Gibbs pursuant to the Georgia Survival Statute, O.C.G.A. § 9-2-41, and claims all damages recoverable thereunder, including but not limited to for all pre-death physical and emotional pain and suffering, lost wages from the time of injury until death, medical expenses from time of injury until death, and funeral expenses.

#### **COUNT XV – WRONGFUL DEATH**

##### **ZELDA JOHNSON, as the Surviving Spouse of WILLIAM JOHNSON JR. v. ALL DEFENDANTS**

**354.** Plaintiffs hereby reallege and incorporate herein the allegations contained in the previous paragraphs as if each were fully set forth herein in their entirety.

**355.** Pursuant to O.C.G.A. § 51-4-2, Plaintiff, Zelda Johnson, is the proper party to bring the wrongful death claims asserted in this lawsuit for the death of William Johnson, Jr.

**356.** Plaintiff, Zelda Johnson, as the Surviving Spouse of decedent, William Johnson, Jr., claims all damages available under the Georgia Wrongful Death statute, O.C.G.A. § 51-4-1, *et seq.*, including but not limited to the full value of the life of the decedent.

#### **COUNT XVI – WRONGFUL DEATH**

##### **ZELDA JOHNSON and LISA AUSTIN, as the Executrixes of Estate of QUEEN WELCH v. ALL DEFENDANTS**

**357.** Plaintiffs hereby reallege and incorporate herein the allegations contained in the previous paragraphs as if each were fully set forth herein in their entirety.

**358.** Queen Welch did not leave behind a surviving spouse, surviving child, or surviving parent. Pursuant to O.C.G.A. § 51-4-5, Plaintiffs, Zelda Johnson and Lisa Austin, as the Executrixes of the Estate of Queen Welch, are the proper parties to bring the wrongful death claims asserted in this lawsuit for the death of Queen Welch.

**359.** Plaintiffs, Zelda Johnson and Lisa Austin, as the Executrixes of the Estate of Queen Welch, claim all damages available under the Georgia Wrongful Death statute, O.C.G.A. § 51-4-1, *et seq.*, including but not limited to the full value of the life of the decedent.



## **COUNT XVII – SURVIVAL**

### **ZELDA JOHNSON and LISA AUSTIN, as the Executrixes of Estate of QUEEN WELCH v. ALL DEFENDANTS**

**360.** Plaintiffs hereby reallege and incorporate herein the allegations contained in the previous paragraphs as if each were fully set forth herein in their entirety.

**361.** Plaintiffs, Zelda Johnson and Lisa Austin, as the Executrixes of the Estate of Queen Welch, hereby bring this action on behalf of the Estate of Queen Welch pursuant to the Georgia Survival Statute, O.C.G.A. § 9-2-41, and claims all damages recoverable thereunder, including but not limited to for all pre-death physical and emotional pain and suffering, and funeral expenses.

## **COUNT XVIII – PERSONAL INJURY**

### **ZELDA JOHNSON v. ALL DEFENDANTS**

**362.** Plaintiffs hereby reallege and incorporate herein the allegations contained in the previous paragraphs as if each were fully set forth herein in their entirety.

**363.** Plaintiff, Zelda Johnson, individually, brings this action on behalf of herself to recover all damages available to her for the physical, mental, and emotional injuries she sustained as a proximate result of the subject gangway collapse.

## **COUNT XIX – WRONGFUL DEATH**

### **ELIZABETH HOUSTON, as Surviving Spouse of CHARLES L. HOUSTON v. ALL DEFENDANTS**

**364.** Plaintiffs hereby reallege and incorporate herein the allegations contained in the previous paragraphs as if each were fully set forth herein in their entirety.

**365.** Plaintiff, Elizabeth Houston, is the Surviving Spouse of decedent, Charles L. Houston.

**366.** Pursuant to O.C.G.A. § 51-4-2, the surviving spouse is the proper party to bring the wrongful death claims asserted in this lawsuit for the death of Charles L. Houston.

**367.** Plaintiff, Elizabeth Houston, as the Surviving Spouse of decedent Charles L. Houston, claims all damages available under the Georgia Wrongful Death statute, O.C.G.A. § 51-4-1, et seq., including but not limited to the full value of the life of the decedent.

**COUNT XX – ATTORNEY’S FEES AND EXPENSES OF LITIGATION PURSUANT TO  
O.C.G.A. § 13-6-11**

**ALL PLAINTIFFS v. ALL DEFENDANTS**

**368.** Plaintiffs hereby reallege and incorporate herein the allegations contained in the previous paragraphs as if each were fully set forth herein in their entirety.

**369.** The conduct of Defendants described in this Complaint constitutes bad faith in the underlying transaction under O.C.G.A. § 13-6-11. Accordingly, Plaintiffs are entitled to recovery attorney’s fees and the expenses of litigation from Defendants under O.C.G.A. § 13-6-11.

## **PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiffs respectfully pray and demand as follows:

1. That Process and Summons issue, as provided by law, requiring Defendants to appear and answer Plaintiffs' Complaint;
2. That service be had upon the Defendants as provided by law;
3. That the Court award and enter a judgment in favor of Plaintiffs and against Defendants for all compensatory, special and general damages in an amount to be proven at trial;
4. That the Court award and enter a judgment in favor of Surviving Plaintiffs for their personal injury claims, and Estate Plaintiffs for their survival claims, and against Defendants for punitive damages;
5. That the Court award and enter a judgment in favor of Plaintiffs and against the Defendants for attorney's fees and expenses of litigation under O.C.G.A. § 13-6-11;
6. That Plaintiffs have a trial by jury as to all issues; and
7. That Plaintiffs have such other and further relief as the Court may deem just and proper.

This 11th day of June, 2025

Respectfully submitted,  
**BEN CRUMP LAW, PLLC**

/s/ Liza A. Park

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**THE CHAMPION FIRM, PERSONAL INJURY ATTORNEYS, P.C.**

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