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**COMMONWEALTH OF MASSACHUSETTS**
**SUPERIOR COURT DEPARTMENT OF THE TRIAL COURT**

**Suffolk, ss.**

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| ANDREA EDMOND, RICARDO JOSEPH INDIVIDUALY, RICARDO JOSEPH AS PARENT AND NEXT FRIEND OF JANE DOE, AND FREDELINE JOSEPH<br><br>Plaintiffs,<br>v.<br><br>TRANSDEV SERVICES INC., TRANSDEV NORTH AMERICA, INC., AND JEAN CHARLES<br><br>Defendants. | **DOCKET NO.:** |

**COMPLAINT AND JURY DEMAND**

1. Plaintiff Jane Doe is a minor residing in Massachusetts.

2. Ricardo Joseph ("Ricardo") is an adult individual and Jane Doe's father. Ricardo resides in Massachusetts.

3. Andrea Edmond is an adult individual residing in Massachusetts.

4. Fredeline Joseph is an adult individual residing in Massachusetts.

5. Transdev Services Inc. ("Transdev") is a foreign corporation with a principal place of business at 720 E. Butterfield Road, Suite 300, Lombard, Illinois, 60148.

6. Transdev North America, Inc. ("Transdev") is a foreign corporation with a principal place of business at 720 E. Butterfield Road, Suite 300, Lombard, Illinois 60148.

7. Transdev regularly transacts business within the Commonwealth of Massachusetts and maintains a principal office at 101 Federal Street, Boston, MA 02110.

8. Jean Charles ("Charles") is an adult individual residing in Massachusetts.

## Jurisdiction and Venue

9. Jurisdiction of this Court is lawful and proper as Defendants conduct business in Massachusetts, reside in Massachusetts and Defendants' unlawful acts occurred in Massachusetts.

10. Venue in Suffolk County is proper as Defendant's unlawful conduct occurred there.

## Facts Common to All Counts

11. On April 28, 2025, 5-year-old Lens Arthur Joseph ("Lens") and his 11-year-old cousin, Jane Doe, were picked up by a school bus being driven by Transdev employee, Defendant Jean Charles.

12. At all times relevant to the Complaint, Lens and Jane Doe lived in the same home.

13. At the time, Charles had been an employee of Transdev for approximately two years.

14. At all times relevant to the Complaint, Transdev knowingly permitted Charles to drive with an expired certificate.

15. At all times relevant to the Complaint, Transdev had knowledge of Charles' expired certificate.

16. Charles was pulled off the road by Transdev approximately two weeks before April 28, 2025, for additional training.

17. On April 28, 2025, Charles was working as a substitute bus driver on the bus that picked up Lens and Jane Doe after school.

18. At all times relevant to the Complaint, Lens and Jane Doe were attending the UP Academy, a Charter School that is part of the Boston Public School Systems in Dorchester.

19. At all times relevant to the Complaint, Transdev provided transportation services for Boston Public Schools (pursuant to a contractual relationship with the City of Boston) and the Up Academy.

20. On April 28, 2025, Charles picked Lens, Jane Doe and other students up from school and began to drive.

21. At approximately 2:20 p.m. on April 28, 2025, Charles reportedly struck two parked vehicles with Lens, Jane Doe and other children on the bus.

22. In contravention of Transdev policy, Charles drove away from the scene after he struck the parked vehicles and failed to call his supervisor, as required.

23. Charles subsequently missed a turn that approached Lens and Jane Doe's bus stop.

24. The bus usually dropped Lens and Jane Doe off on the street where they lived, directly in front of their home.

25. The usual drop-off location would not require Lens and Jane Doe to cross the street in front of the bus to walk home. The children would exit the bus and would be mere steps from their front lawn and then the house.

26. Lens and Jane Doe were *instead* dropped off at the wrong location, on a street that was diagonally a short walk away from their home, forcing the children to attempt to cross the street in front of the bus to reach their actual house.

27. At approximately 2:45 p.m., Lens attempted to cross the street in front of the bus to go home.

28. At that moment, Charles began driving, striking Lens, running Lens over, causing fatal injuries to Lens and causing Lens' death.

29. Jane Doe was present and witnessed these horrific events.

30. Jane Doe witnessed the bus run over Lens, and then saw Lens lying in the street, struggling to breathe, his body mangled from the impact.

31. At the time, Lens' grandmother, Andrea Edmond, and Lens' Aunt, Fredeline Joseph, were waiting by the window of their home for Lens and Jane Doe to return from school.

32. When the children did not arrive home as scheduled, and a commotion began to occur outside, Ms. Edmond and Ms. Joseph rushed outside and were then present at the scene, observing a hysterical Jane Doe but no Lens.

33. Ms. Edmond and Ms. Joseph then quickly learned of the tragic incident, while standing at the scene.

34. Ms. Edmond and Ms. Joseph attempted to run to where Lens was lying but were held back by emergency responders while witnessing Jane Doe's response to the tragic events.

35. Lens' uncle, Ricardo, was informed of Lens's injuries shortly after Charles ran Lens over, and Ricardo left work immediately to drive to the scene.

36. On his way to the scene, Ricardo was informed that Lens has been transported to Boston Children's Hospital by Boston EMS.

37. When Ricardo arrived at Boston Children's Hospital, he was informed that Lens had died.

38. Shortly thereafter, Ricardo went to see Lens' body, which was crushed and horribly disfigured from the collision.

39. At all times relevant to the Complaint, Transdev negligently hired, negligently trained, negligently supervised, and negligently monitored its drivers, including but not limited to Jean Charles.

40. At all times relevant to the Complaint, Transdev negligently implemented policies, procedures and rules relating to the safe transportation of children on buses driven by its drivers, including but not limited to Jean Charles.

41. At all times relevant to the Complaint, Transdev failed to implement technologies including but not limited to stop-arm cameras, extended stop arms, crossing arms, surround cameras, pedestrian detection / motion sensors, and automatic braking that affects the safety of children being driven by Transdev employees.

42. At all times relevant to the Complaint, Charles acted within the scope of his employment, and acted negligently and/or recklessly.

**COUNT 1**
**NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS (ZONE OF DANGER LIABILITY)**
**PLAINTIFF RICARDO JOSEPH, ONLY AS PARENT AND NEXT FRIEND OF JANE DOE, V.**
**ALL DEFENDANTS**

43. Plaintiffs repeat the allegations set forth above as if fully contained herein.

44. The Defendants owed a duty of reasonable care to Lens and to those in the zone of danger, including Jane Doe.

45. At all times relevant to the Complaint, Transdev breached this duty by negligently hiring, negligently training, negligently supervising, and negligently monitoring its drivers, including but not limited to Jean Charles.

46. At all times relevant to the Complaint, Transdev breached this duty by negligently implementing policies, procedures and rules, relating to the safe transportation of children on buses driven by Transdev employees.

47. At all times relevant to the Complaint, Transdev breached this duty by failing to implement technologies including but not limited to stop-arm cameras, extended stop arms, crossing arms, surround cameras, pedestrian detection sensors, and automatic braking that affects the safety of children being driven by Transdev employees.

48. At all times relevant to the Complaint, Charles breached this duty by acting negligently and/or recklessly. Charles' negligent and/or reckless conduct includes but is not limited to, failing to maintain a necessary certification, colliding with vehicles while driving children home, failing to stop after colliding with vehicles, driving an incorrect route, dropping Lens and Jane Doe off at the wrong location, and colliding with Lens while Lens was attempting to walk home from the wrong location.

49. Jane Doe was in the zone of danger of the Transdev bus that ran her cousin over and killed him on April 28, 2025.

50. Jane Doe feared for her own safety when witnessing the bus run over her cousin on that date.

51. Jane Doe has suffered severe emotional distress with physical manifestations as a result of this incident including but not limited to anxiety, depression, sadness, fear, sleep disturbances, behavioral abnormalities, and other issues that did not exist before the incident.

52. As a direct and proximate result of such negligence, Jane Doe suffered and continues to suffer injuries, pain and suffering, medical bills, out of pocket expenses and severe emotional distress with physical manifestations.

**COUNT 2**
**NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS (BYSTANDER LIABILITY)**
**PLAINTIFF RICARDO JOSEPH, ONLY AS PARENT AND NEXT FRIEND OF JANE DOE V. ALL DEFENDANTS**

53. Plaintiffs repeat the allegations set forth above as if fully contained herein.

54. The Defendants owed a duty of reasonable care to Lens and to those individuals with a close familial relationship to Lens that came to the scene and/or observed Lens shortly after the tragic incident.

55. At all times relevant to the Complaint, Transdev breached this duty by negligently hiring, negligently training, negligently supervising, and negligently monitoring its drivers, including but not limited to Jean Charles.

56. At all times relevant to the Complaint, Transdev breached this duty by negligently implementing policies, procedures and rules, relating to the safe transportation of children on buses driven by Transdev employees.

57. At all times relevant to the Complaint, Transdev breached this duty by failing to implement technologies including but not limited to stop-arm cameras, extended stop arms, crossing arms, surround cameras, pedestrian detection sensors, and automatic braking that affects the safety of children being driven by Transdev employees.

58. At all times relevant to the Complaint, Charles breached this duty by acting negligently and/or recklessly. Charles' negligent and/or reckless conduct includes but is not limited to, failing to maintain a necessary certification, colliding with vehicles while driving children home, failing to stop after colliding with vehicles, driving an incorrect route, dropping Lens and Jane Doe off at the wrong location, colliding with Lens while Lens was attempting to walk home from the wrong location.

59. Jane Doe experienced severe emotional distress with physical manifestations as a result of being present at the scene of the tragedy involving her cousin.

60. Jane Doe's severe emotional distress with physical manifestations includes but is not limited to anxiety, depression, sadness, fear, sleep disturbances, behavioral abnormalities, and other issues that did not exist before the incident.

61. As a direct and proximate result of such negligence, Jane Doe suffered and continues to suffer injuries, pain and suffering, medical bills, out of pocket expenses and emotional distress.

**COUNT 3**
**NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS (BYSTANDER LIABILITY)**
**PLAINTIFF RICARDO JOSEPH, INDIVIDUALLY, v. ALL DEFENDANTS**

62. Plaintiffs repeat the allegations set forth above as if fully contained herein.

63. The Defendants owed a duty of reasonable care to Lens and to those individuals with a close familial relationship to Lens that came to the scene and/or observed Lens shortly after the tragic incident.

64. At all times relevant to the Complaint, Transdev breached this duty by negligently hiring, negligently training, negligently supervising, and negligently monitoring its drivers, including but not limited to Jean Charles.

65. At all times relevant to the Complaint, Transdev breached this duty by negligently implementing policies, procedures and rules, relating to the safe transportation of children on buses driven by Transdev employees.

66. At all times relevant to the Complaint, Transdev breached this duty by failing to implement technologies including but not limited to stop-arm cameras, extended stop arms,

crossing arms, surround cameras, pedestrian detection sensors, and automatic braking that affects the safety of children being driven by Transdev employees.

67. At all times relevant to the Complaint, Charles breached this duty by acting negligently and/or recklessly. Charles' negligent and/or reckless conduct includes but is not limited to, failing to maintain a necessary certification, colliding with vehicles while driving children home, failing to stop after colliding with vehicles, driving an incorrect route, dropping Lens and Jane Doe off at the wrong location, colliding with Lens while Lens was attempting to walk home from the wrong location.

68. Ricardo was informed of the tragedy almost immediately after it occurred.

69. Ricardo initially attempted to rush to the scene of the incident before being informed that Lens was taken to the hospital.

70. Upon arriving at the hospital, Ricardo was informed Lens was deceased and was taken to see Lens' body.

71. Ricardo experienced severe emotional distress with physical manifestations as a result of this tragic incident.

72. Ricardo's severe emotional distress with physical manifestations includes but is not limited to anxiety, depression, sadness, fear, sleep disturbances and other issues that did not exist before the incident.

73. As a direct and proximate result of such negligence, Ricardo suffered and continues to suffer injuries, pain and suffering, medical bills, out of pocket expenses and severe emotional distress.

**COUNT 4**
**NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS (BYSTANDER LIABILITY)**
**PLAINTIFF ANDREA EDMOND V. ALL DEFENDANTS**

74. Plaintiffs repeat the allegations set forth above as if fully contained herein.

75. The Defendants owed a duty of reasonable care to Lens and to those individuals with a close familial relationship to Lens that came to the scene and/or observed Lens shortly after the tragic incident.

76. At all times relevant to the Complaint, Transdev breached this duty by negligently hiring, negligently training, negligently supervising, and negligently monitoring its drivers, including but not limited to Jean Charles.

77. At all times relevant to the Complaint, Transdev breached this duty by negligently implementing policies, procedures and rules, relating to the safe transportation of children on buses driven by Transdev employees.

78. At all times relevant to the Complaint, Transdev breached this duty by failing to implement technologies including but not limited to stop-arm cameras, extended stop arms, crossing arms, surround cameras, pedestrian detection sensors, and automatic braking that affects the safety of children being driven by Transdev employees.

79. At all times relevant to the Complaint, Charles breached this duty by acting negligently and/or recklessly. Charles' negligent and/or reckless conduct includes but is not limited to, failing to maintain a necessary certification, colliding with vehicles while driving children home, failing to stop after colliding with vehicles, driving an incorrect route, dropping Lens and Jane Doe off at the wrong location, colliding with Lens while Lens was attempting to walk home from the wrong location.

80. On the date of the tragic incident, Andrea Edmond was waiting by the window of her home for Lens and Jane Doe to return from school.

81. When the children did not arrive home, Ms. Edmond went outside and was present at the scene, observing a hysterical Jane Doe but no Lens.

82. Ms. Edmond then learned of the tragic incident while standing at the scene.

83. Ms. Edmond attempted to run to where Lens was lying but was held back by emergency responders while witnessing Jane Doe's response to the tragic events.

84. Ms. Edmond has experienced substantial emotional distress with physical manifestations as a result of this tragic incident.

85. Ms. Edmond's severe emotional distress with physical manifestations includes but is not limited to anxiety, depression, sadness, fear, sleep disturbances, and other issues that did not exist before the incident.

86. As a direct and proximate result of such negligence, Ms. Edmond suffered and continues to suffer injuries, pain and suffering, medical bills, out of pocket expenses and severe emotional distress.

**COUNT 5**
**NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS (BYSTANDER LIABILITY)**
**PLAINTIFF FREDELINE JOSEPH V. ALL DEFENDANTS**

87. Plaintiffs repeat the allegations set forth above as if fully contained herein.

88. The Defendants owed a duty of reasonable care to Lens and to those individuals with a close familial relationship to Lens that came to the scene and/or observed Lens shortly after the tragic incident.

89. At all times relevant to the Complaint, Transdev breached this duty by negligently hiring, negligently training, negligently supervising, and negligently monitoring its drivers, including but not limited to Jean Charles.

90. At all times relevant to the Complaint, Transdev breached this duty by negligently implementing policies, procedures and rules, relating to the safe transportation of children on buses driven by Transdev employees.

91. At all times relevant to the Complaint, Transdev breached this duty by failing to implement technologies including but not limited to stop-arm cameras, extended stop arms, crossing arms, surround cameras, pedestrian detection sensors, and automatic braking that affects the safety of children being driven by Transdev employees.

92. At all times relevant to the Complaint, Charles breached this duty by acting negligently and/or recklessly. Charles' negligent and/or reckless conduct includes but is not limited to, failing to maintain a necessary certification, colliding with vehicles while driving children home, failing to stop after colliding with vehicles, driving an incorrect route, dropping Lens and Jane Doe off at the wrong location, colliding with Lens while Lens was attempting to walk home from the wrong location.

93. On the date of the tragic incident, Ms. Joseph was waiting by the window of her home for Lens and Jane Doe to return from school.

94. When the children did not arrive home, Ms. Joseph went outside and was present at the scene, observing a hysterical Jane Doe but no Lens.

95. Ms. Joseph then learned of the tragic incident, while standing at the scene.

96. Ms. Joseph attempted to run to where Lens was lying but held back by emergency responders while witnessing Jane Doe's response to the tragic events.

97. Ms. Joseph has experienced severe emotional distress with physical manifestations as a result of this tragic incident.

98. Ms. Joseph's severe emotional distress with physical manifestations includes but is not limited to anxiety, depression, sadness, fear, sleep disturbances, and other issues that did not exist before the incident.

99. As a direct and proximate result of such negligence, Ms. Joseph suffered and continues to suffer injuries, pain and suffering, medical bills, out of pocket expenses and severe emotional distress.

## Prayers for Relief

WHEREFORE, Plaintiffs respectfully request that this Honorable Court:

i. Enter judgment in their favor on all counts of the Complaint and award them damages in an amount sufficient to compensate them for their injuries, out of pocket medical expenses, medical bills, pain and suffering, mental anguish and severe emotional distress, punitive damages, together with interest and costs;

ii. Grant such other relief as this Court deems just and proper.

## Jury Demand

PLAINTIFFS DEMAND A TRIAL BY JURY ON ALL COUNTS SO TRIABLE.

Respectfully submitted,

PLAINTIFFS

By their attorneys,

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Dated: July 21, 2025