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County of Sacramento
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VICKY N. VO and IVY N. VO, minors, by and through their Guardian ad Litem, TRAM LE

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SACRAMENTO

UNLIMITED JURISDICTION

VICKY N. VO and IVY N. VO, minors, by and through their Guardian ad Litem, TRAM LE,

Plaintiffs,

v.

Z TOWN ENTERTAINMENT LLC, a California limited liability company; PAN PACIFIC (BEL AIR VILLAGE), LLC, a California limited liability company; CITY OF ELK GROVE, a public entity; STATE OF CALIFORNIA, acting by and through the CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL; and DOES 1 through 100, inclusive,

Defendants.

TUAN VO, an individual; and MY-LE PHAN, an individual,

Nominal Defendants.

Case No.: 26CV026434

COMPLAINT FOR DAMAGES FOR WRONGFUL DEATH:

1. Negligence
2. Negligent Hiring, Supervision, and Retention
3. Premises Liability
4. Negligence (Landlord)
5. Breach of Mandatory Duty (Gov. Code, § 815.6) — City
6. Negligence of Public Employees (Gov. Code, § 815.2) — City
7. Breach of Mandatory Duty (Gov. Code, § 815.6) — State
8. Negligence of Public Employees (Gov. Code, § 815.2) — State

DEMAND FOR JURY TRIAL

Plaintiffs VICKY N. VO and IVY N. VO, minors, by and through their Guardian ad Litem, TRAM LE (collectively, "Plaintiffs"), allege as follows against Defendants Z TOWN ENTERTAINMENT LLC; PAN PACIFIC (BEL AIR VILLAGE), LLC; CITY OF ELK GROVE; STATE OF CALIFORNIA, acting by and through the CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL; and DOES 1 through 100, inclusive, and name TUAN VO and MY-LE PHAN as Nominal Defendants:

INTRODUCTION

1. This is a wrongful death action brought by the two young daughters, Plaintiffs VICKY N. VO and IVY N. VO, of Phuc Minh Vo ("Decedent"), a 34-year-old father who was shot while seated in a booth as a paying customer of Z Town Asian Gastro Bar, located at 8409 Elk Grove Florin Road, Elk Grove, California (the "Premises"), at approximately 1:30 a.m. on November 2, 2025. The Premises were possessed by and operated by Z TOWN ENTERTAINMENT LLC ("Z Town") at all relevant times. Decedent was shot in the head by Roderick Randall. Decedent died from the injuries sustained in the shooting on November 5, 2025 in a nearby hospital, where he was declared dead following brain-death testing.

2. Plaintiffs are informed and believe, and on that basis allege, that the shooter, Roderick Randall ("Randall"), was a felon and registered sex offender who Defendant Z Town knew or should have known had this criminal record. Plaintiffs are informed and believe and thereon allege that Randall worked at the Premises for Z Town or, in the alternative, for one or more of DOES 36 through 50, who acted as agents of Z Town. Plaintiffs allege that, after a verbal altercation inside the Premises with an 18-year-old patron (Kim Kha Huynh) relating to Thao Tran, Randall left the Premises, retrieved a firearm from his vehicle, and Z Town employees or employees of DOES 36 through 50 in charge of security, permitted Randall to walk back in, where he opened fire. He struck four patrons and killed two, including Mr. Huynh and Decedent, an uninvolved, innocent bystander who had done nothing to provoke the violence. Plaintiffs are informed and believe that Thao Tran was Randall's girlfriend and a Z Town employee.

3. Plaintiffs are further informed and believe that Z Town obtained its liquor license by representing to the State that it would operate as a bona fide eating place that closed at midnight, while it in fact operated as a late-night nightclub until 2:00 a.m., with a DJ, all-you-can-drink promotions, and underage patrons, but without a security plan, weapons screening, age verification, or employee background checks. Its landlord and owner of the Premises (PAN PACIFIC (BEL AIR VILLAGE), LLC), the City of Elk Grove, and the California Department of Alcoholic Beverage Control each knew or should have known of how Z Town was actually operating, and each failed to act. Decedent's death was the foreseeable result.

PARTIES

4. Plaintiff VICKY N. VO is a minor, currently eight years old, and is the natural daughter of Decedent. Plaintiff IVY N. VO is a minor, currently eleven years old, and is the natural daughter of Decedent. At all relevant times, Plaintiffs resided in the County of Santa Clara, State of California.

5. TRAM LE is Plaintiffs' mother and natural guardian. Concurrently with the filing of this Complaint, Tram Le has applied to be appointed Guardian ad Litem of Plaintiffs VICKY N. VO and IVY N. VO under Code of Civil Procedure section 372.

6. Decedent died on November 5, 2025, in the County of Sacramento, State of California. At the time of his death, Decedent was not married. Plaintiffs are Decedent's surviving children and the persons who would be entitled to the property of Decedent by intestate succession, and therefore have standing to bring this action under Code of Civil Procedure section 377.60, subdivision (a). Plaintiffs are informed and believe that, other than the Nominal Defendants, who may claim standing under Code of Civil Procedure section 377.60, subdivision (b), as alleged below, there are no other persons entitled to bring an action for the wrongful death of Decedent.

7. Plaintiffs are informed and believe that Defendant Z TOWN ENTERTAINMENT LLC ("Z Town") is, and at all relevant times was, a California limited liability company doing business as "Z Town Asian Gastro Bar" at the Premises, and was the

holder of California Department of Alcoholic Beverage Control License No. 650586, a Type 47 (On-Sale General - Eating Place) license, for the Premises. At all relevant times, Z Town owned, operated, managed, occupied, and controlled the business conducted at the Premises.

8. Plaintiffs are informed and believe that Defendant PAN PACIFIC (BEL AIR VILLAGE), LLC ("Pan Pacific") is, and at all relevant times was, a California limited liability company that owned, leased, managed, and/or controlled the real property, building, and shopping center (Bel Air Village Shopping Center) in which the Premises are located, including their parking areas, entrances, and common areas, and that it leased the Premises to Z Town. Pan Pacific is identified as Z Town's landlord in the application Z Town submitted to the California Department of Alcoholic Beverage Control.

9. Plaintiffs are informed and believe that Randall is an individual who at all relevant times resided in the County of Sacramento, State of California, and that at the time of the shooting Randall was (a) employed by, working at, or acting as an agent of Z Town, including as a member of its security or door staff; (b) in the alternative, employed by or acting as an agent of one or more of DOES 36 through 50; or (c) in the alternative, a patron or other person whom Z Town and DOES 36 through 50 admitted to the Premises, who was known to their managers, employees, and agents, and whose presence and conduct on the Premises they had the right and ability to control. Randall is not named as a defendant in this action.

10. Defendant CITY OF ELK GROVE (the "City") is, and at all relevant times was, a public entity and municipal corporation located in the County of Sacramento. The City operates the Elk Grove Police Department ("EGPD") and administers business licensing under the Elk Grove Municipal Code ("EGMC").

11. Defendant STATE OF CALIFORNIA, acting by and through the CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL ("ABC," and together with the State of California, the "State"), is a public entity. ABC is the department of the State charged under article XX, section 22 of the California Constitution and the Alcoholic Beverage Control Act (Bus. & Prof. Code, § 23000 et seq.) with issuing, suspending, and revoking licenses to sell alcoholic beverages and enforcing the Act.

12. Plaintiffs do not know the true names and capacities of the defendants sued as DOES 1 through 100, inclusive, and therefore sue them by fictitious names under Code of Civil Procedure section 474. Plaintiffs will amend this Complaint to allege their true names and capacities when ascertained. Plaintiffs are informed and believe that each fictitiously named defendant is responsible in some manner for the occurrences alleged in this Complaint and that Plaintiffs' damages were proximately caused by their conduct.

13. Plaintiffs are informed and believe that: DOES 1 through 25 are the members, managers, owners, officers, employees, and agents of Z Town, including the persons responsible for hiring, supervising, security, door control, and age verification at the Premises on November 1-2, 2025; DOES 51 through 60 are persons and entities that owned, leased, managed, or maintained the real property, shopping center, and common areas in which the Premises are located, including any property manager; DOES 36 through 50 are persons and entities, including any security contractor retained by Z Town, that provided or were obligated to provide security, door, or crowd-control services at the Premises, and that employed, supervised, or directed the persons who performed those services; DOES 61 through 75 are officers and employees of the City, including EGPD officers and City business-licensing staff, who acted within the scope of their employment; and DOES 76 through 100 are officers and employees of ABC who acted within the scope of their employment.

14. Plaintiffs are informed and believe that, at all relevant times, each of the private defendants (other than the Nominal Defendants) was the agent, servant, employee, partner, joint venturer, and/or co-venturer of each of the other private defendants, and in doing the things alleged in this Complaint was acting within the course and scope of that relationship and with the knowledge, permission, consent, and ratification of each of the other private defendants.

15. Nominal Defendant TUAN VO is the father of Decedent, and Nominal Defendant MY-LE PHAN is the mother of Decedent (together, the "Nominal Defendants"). Plaintiffs are informed and believe that the Nominal Defendants reside in the County of Santa Clara, State of California.

16. Because Decedent left surviving children, the Nominal Defendants are not persons who would be entitled to Decedent's property by intestate succession under Code of Civil Procedure section 377.60, subdivision (a). Plaintiffs are informed and believe that the Nominal Defendants may claim to be persons entitled to bring an action for Decedent's wrongful death under section 377.60, subdivision (b), as parents who were dependent on Decedent.

17. The Nominal Defendants are named in this action solely to satisfy the rule that all persons who may be entitled to recover for a decedent's wrongful death must be joined in a single action, because they have not consented to join as plaintiffs. Plaintiffs do not concede that either Nominal Defendant was dependent on Decedent or is entitled to recover for Decedent's death, and Plaintiffs reserve the right to contest any such claim, including in any apportionment of a recovery. Plaintiffs seek no relief against the Nominal Defendants.

JURISDICTION AND VENUE

18. This Court has jurisdiction over this action under article VI, section 10 of the California Constitution. This is an unlimited civil case because the amount in controversy exceeds $35,000, exclusive of interest and costs.

19. Venue is proper in the County of Sacramento under Code of Civil Procedure sections 394, subdivision (a), and 395, subdivision (a), because the injuries and death alleged in this Complaint occurred in this County, the City is located in this County, and Plaintiffs are informed and believe that one or more defendants reside in this County.

COMPLIANCE WITH THE GOVERNMENT CLAIMS ACT

20. On April 30, 2026, within six months after the accrual of their causes of action, Plaintiff VICKY N. VO and Plaintiff IVY N. VO, each through counsel, presented separate written claims for damages to the City under Government Code section 910 et seq., by delivering them to the City Clerk of the City of Elk Grove.

21. On April 30, 2026, within six months after the accrual of their causes of action, Plaintiff VICKY N. VO and Plaintiff IVY N. VO, each through counsel, presented separate written claims for damages to the State, identifying the California Department of Alcoholic

Beverage Control, under Government Code section 910 et seq., by submitting them to the Department of General Services, Office of Risk and Insurance Management, Government Claims Program.

22. The City rejected Plaintiffs' claims by written notice dated May 4, 2026.

23. The State failed to act on Plaintiffs' claims within 45 days after presentation, and the claims were therefore deemed rejected by operation of law under Government Code section 912.4, subdivision (c).

24. This action is timely under Government Code section 945.6. Plaintiffs have complied with all claim-presentation requirements of the Government Claims Act, and the facts and theories alleged in this Complaint against the City and the State fairly reflect those set forth in Plaintiffs' claims.

FACTUAL ALLEGATIONS

A. Z Town Obtained a Restaurant License While Operating as a Nightclub

25. A Type 47 (On-Sale General - Eating Place) license authorizes the sale of beer, wine, and distilled spirits for consumption on the premises in "a place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation …". (See Business and Professions Code sections 23038 and 23396). A licensee that instead operates its premises as a bar or nightclub exceeds the privileges of its license (Bus. & Prof. Code, § 23300) and would require a different license, such as a Type 48 (On-Sale General - Public Premises) license, which carries additional restrictions and regulatory scrutiny, including the exclusion of persons under 21 (Bus. & Prof. Code, §§ 23039, 25665).

26. Plaintiffs are informed and believe that, on or about June 30, 2023, Z Town applied to ABC for a Type 47 license for the Premises, by transfer of License No. 47-634635. In its application, Z Town represented that the Premises would operate from 4:00 p.m. to 12:00 a.m. every day and that approximately 10 percent of its sales would come from alcoholic beverages.

27. Plaintiffs are informed and believe that, on or about September 19, 2023, in support of its claimed status as a bona fide eating place, Z Town submitted to ABC a menu that listed only food items and did not list any alcoholic beverages.

28. On or about October 10, 2023, in reliance on Z Town's representations, ABC transferred and issued License No. 650586, a Type 47 license, to Z Town for the Premises, without any operating restrictions. ABC has authority to impose reasonable conditions on a license, including limits on hours of operation, amplified music and entertainment, and requirements for security (Bus. & Prof. Code, §§ 23800-23801), and it routinely imposes such conditions on eating-place licensees. Plaintiffs allege that, had Z Town disclosed that it intended to operate as a nightclub until 2:00 a.m., with a DJ and all-you-can-drink promotions, ABC would have been required to evaluate the application as one for a bar or nightclub, and it could have imposed conditions on hours, entertainment, and security, or denied the license. Plaintiffs further allege that these disclosures would have also caused Z Town to comply with Chapter 4.10 of the Elk Grove Municipal Code, described below.

29. Plaintiffs are informed and believe that, on November 2, 2025 on or about 1:30am when the incident occurred, Z Town did not primarily operate as the restaurant it described to ABC because it:

(a) publicly advertised operating hours of 6:00 p.m. to 2:00 a.m., Wednesday through Sunday, together with a DJ starting at 9:00 p.m.;

(b) played loud, club-style music late into the night;

(c) sold alcohol by the pitcher and the "tower," and promoted "$25 per person, all you can drink" offers;

(d) centered its social-media marketing, including its public social media accounts, on alcohol and nightlife; and

(e) admitted patrons under the age of 21 into a nightclub environment where alcohol was served.

30. Z Town's true character was widely publicized. On January 29, 2024, *The Sacramento Bee* described Z Town as "a restaurant, a bar and a club, all in one," with a "Vegas-

like vibe," open until 2:00 a.m., and quoted then-Vice Mayor Rod Brewer, the City Councilmember representing the district in which the Premises are located.[1] In November 2024, *The Sacramento Bee* described Z Town as "Elk Grove's most vibrant slice of nightlife" and reported its "$25 per person, all you can drink" offer.[2]

31. Plaintiffs allege that Z Town's use of an eating-place license to operate a bar and nightclub was a subterfuge that exceeded the privileges of its license, in violation of Business and Professions Code section 23300, and its misrepresentations to ABC in obtaining the license were independent grounds for suspension or revocation under Business and Professions Code section 24200, subdivision (c).

32. Plaintiffs are informed and believe that Z Town's dance and entertainment operations required a Special Business License from the City under Elk Grove Municipal Code ("EGMC") Chapter 4.10 and the business-specific provisions of EGMC Title 4 governing dance clubs, halls, and public dances, including the conditions and security requirements imposed on such licensees, and that Z Town never obtained one. (EGMC §§ 4.10.300, 4.10.305).

B. Defendants Had Notice of Danger at the Premises Before the Shooting

33. Plaintiffs are informed and believe that, before November 2, 2025, a complaint was made to ABC that Z Town had served alcohol to a minor, and that ABC closed the complaint without investigation, inspection, or follow-up.

34. Plaintiffs are informed and believe that ABC did not conduct a single inspection of the Premises at any time between the issuance of License No. 650586 and November 2, 2025, and took no disciplinary action against the license, despite the publicly available evidence that Z Town was operating as a nightclub rather than a bona fide eating place. At the time of the filing of this Complaint, Plaintiffs are informed and believe and thereon allege that ABC has taken no disciplinary action against Z Town or DOES 1-25.

[1] Smith, Marcus, "New Asian gastro bar aims to bring a culinary, experience and nightlife to Elk Grove", January 29, 2024, *The Sacramento Bee.*

[2] Egel, Benjy et al., "The Sacramento area's hottest Asian restaurants are opening in Elk Grove. Here's why", November 14, 2024, *The Sacramento Bee.*

35. Plaintiffs are informed and believe that, on November 3, 2024, one year before the fatal shooting, Elk Grove Police Department ("EGPD") officers responded to a report of an assault at the Premises at approximately 1:30 a.m., well after the midnight closing time Z Town had represented to ABC. Plaintiffs are further informed and believe that EGPD received and responded to multiple noise-disturbance and alarm calls at the Premises before November 2, 2025, and that the Premises had been reported as a public nuisance.

36. Plaintiffs are informed and believe that EGPD did not transmit any of these calls for service to ABC, did not take any enforcement action under the Alcoholic Beverage Control Act, and did not inspect the Premises. When ABC receives reports of noise disturbances, violence, or service of alcohol to minors at a licensed premises, its established enforcement practice, as reflected in its published precedential decisions, is to issue warning letters under Business and Professions Code section 24200, subdivision (e), to send agents to the premises, and to pursue discipline, including suspension and, in serious cases, revocation of the license or its removal from the premises.

37. Plaintiffs are informed and believe that Z Town, Pan Pacific, and DOES 1 through 50 knew or should have known of the November 3, 2024 assault, the calls for service, the complaint of service to a minor, and the nightclub operations described above, all of which occurred at or concerned the Premises.

C. Z Town Hired a Violent Felon and Provided No Meaningful Security

38. Plaintiffs are informed and believe that Randall had an extensive and violent criminal record, including an overturned conviction for attempted premeditated murder (2012), pimping a minor and providing a child for lewd acts (2003), and burglary; that he was a registered sex offender; and that he was released from custody in or about 2023, roughly two years before the shooting.

39. Plaintiffs are informed and believe that Z Town, or in the alternative DOES 36 through 50, nonetheless employed Randall, or permitted him to work at the Premises as an agent, without conducting a background check or, if one was conducted, despite what that

check revealed. A basic background check would have disclosed Randall's violent criminal history and sex-offender registration.

40. Plaintiffs are informed and believe that Randall was associated with the security operations at the Premises, whether as a member of Z Town's own security or door staff or through DOES 36 through 50, and that on the night of November 1-2, 2025, he was present inside the Premises. Plaintiffs are further informed and believe that Z Town and DOES 36 through 50 permitted Randall, as a person associated with their security operations, to enter, leave, and re-enter the Premises without the screening, supervision, or restrictions applied to other persons, and that they had no policy governing the presence or conduct of on-duty or off-duty security or door personnel on the Premises

41. Plaintiffs are informed and believe that Thao Tran was employed by Z Town at the Premises and was in a romantic relationship with Randall, and that Z Town knew or should have known of the relationship and of the risk of workplace conflict it created.

42. Plaintiffs are informed and believe that whatever security, door, and crowd-control services existed at the Premises were provided by Z Town's own employees, by DOES 36 through 50, a security contractor or contractors retained by Z Town whose identity is presently unknown to Plaintiffs, or by both.

43. Plaintiffs are informed and believe that, at all relevant times, Z Town and DOES 36 through 50 had no written security plan; employed no, or in the alternative, no adequately trained, security personnel; did not screen persons entering the Premises for weapons; did not control re-entry; did not verify the ages of patrons; and did not train its employees to recognize, de-escalate, or respond to altercations.

D. The Shooting

44. On the night of November 1-2, 2025, Decedent went to Z Town with friends to celebrate a friend's birthday. He was a paying customer, seated in a booth, eating and drinking with his friends.

45. At approximately 1:30 a.m. on November 2, 2025, Z Town was open and operating *de facto* as a nightclub, playing loud music and serving alcohol, more than ninety minutes after the closing time it had represented to ABC.

46. Plaintiffs are informed and believe that Kim Kha Huynh, an 18-year-old patron, was present in the Premises, and that Z Town had admitted him without verifying his age.

47. Plaintiffs are informed and believe that, shortly before the shooting, Randall and Huynh engaged in a verbal altercation inside the Premises concerning Thao Tran, and that Z Town's managers, employees, and agents, including DOES 1 through 25 and DOES 36 through 50, were aware of the altercation. They did not separate Randall from the patrons, remove him from the Premises and bar his return, call law enforcement, warn patrons, or secure the entrances.

48. Plaintiffs are informed and believe that Randall then left the Premises, retrieved a firearm, and returned, and that Z Town's employees and agents permitted him to re-enter the Premises without stopping, screening, or searching him, despite knowing of the altercation that had just occurred.

49. After re-entering the Premises, Randall opened fire in Huynh's direction. Decedent was seated in a booth near Huynh. Randall shot four patrons. Huynh and Decedent were killed.

50. Decedent was transported to a nearby hospital via ambulance. He never regained consciousness. On November 5, 2025, he was declared dead following brain-death testing, with family, including Plaintiffs, at the hospital.

E. Plaintiffs' Loss

51. Decedent was a devoted father. Although he and Plaintiffs' mother had separated, they shared a cooperative co-parenting arrangement in which Decedent cared for Plaintiffs every weekend, picking them up from school every Friday and bringing them to the home in which they had grown up with him and his parents.

52. Decedent supported Plaintiffs financially throughout their lives. Plaintiffs expected this support to continue throughout their childhood and beyond. He provided their

transportation on weekends, paid for family vacations several times a year, gave them gifts, helped with their homework, attended their school events, took them to karate and swimming lessons, and shared movie nights with them. He had arranged time off to travel with Plaintiffs to Vietnam in December 2025 to visit family and celebrate Plaintiff VICKY VO's eighth birthday.

53. As a direct and proximate result of Decedent's death, Plaintiffs have suffered, and will continue to suffer, the loss of Decedent's love, companionship, comfort, care, assistance, protection, affection, society, moral support, training, and guidance, as well as the loss of his financial support, gifts and benefits, and household services, in amounts to be proven at trial. Plaintiffs, or persons on their behalf, have also incurred funeral and burial expenses in an amount to be proven at trial.

54. No cause of action in this Complaint is premised on the furnishing, sale, or consumption of alcoholic beverages as the proximate cause of Decedent's death, and Plaintiffs do not allege that Randall or any other person was intoxicated. Allegations concerning Z Town's alcohol service, hours, promotions, and admission of persons under 21 describe the true nature of Z Town's business, the misrepresentations by which it obtained and kept its license, and the foreseeability of violence at the Premises.

FIRST CAUSE OF ACTION

Wrongful Death — Negligence

(Code Civ. Proc., § 377.60; Civ. Code, § 1714)

(By All Plaintiffs Against Z Town and DOES 1 through 25 and 36 through 50)

55. Plaintiffs reallege and incorporate by reference each of the foregoing paragraphs of this Complaint as though fully set forth herein.

56. As the operator of a business open to the public, Z Town and DOES 1 through 25 and 36 through 50 (the "Z Town Defendants") stood in a special relationship with their patrons, including Decedent, and owed them a duty to use reasonable care to protect them from foreseeable harm, including foreseeable criminal conduct by employees and third parties at the Premises. That duty was heightened by the nature of the business the Z Town Defendants

actually operated (a crowded, late-night nightclub serving alcohol until 2:00 a.m.) and by their notice of prior violence at the Premises.

57. Once the Z Town Defendants knew of the altercation between Randall and Huynh, they also owed patrons, including Decedent, a duty to take reasonable, minimally burdensome steps to prevent it from escalating into violence, including separating the participants, removing Randall from the Premises and barring his return, summoning law enforcement, warning patrons, and securing the entrances.

58. The knowledge of Z Town's managers, employees, security and door personnel, and other agents, acquired while acting within the scope of their employment or agency, including their knowledge of the altercation between Randall and Huynh and of Randall's departure and return, is imputed to Z Town and the other Z Town Defendants. (Civ. Code, § 2332.)

59. The Z Town Defendants breached their duties by, among other things:

(a) failing to adopt or implement any adequate security plan for a late-night nightclub;

(b) failing to employ adequately trained security personnel or door staff;

(c) failing to screen persons entering or re-entering the Premises for weapons;

(d) permitting Randall to re-enter the Premises with a firearm after the altercation;

(e) failing to separate Randall from Huynh and other patrons, remove him from the Premises, and bar his return;

(f) failing to call law enforcement or warn patrons once the altercation began;

(g) failing to verify the ages of patrons and admitting persons under 21 into a nightclub environment;

(h) failing to train employees to recognize, de-escalate, and respond to altercations;

(i) operating as a nightclub without the license, permits, and security measures that such an operation required; and

(j) failing to take remedial security measures after the November 3, 2024 assault and other incidents at the Premises.

60. Plaintiffs are informed and believe that the Z Town Defendants also violated statutes, ordinances, and regulations adopted for the protection of persons such as Decedent, including Business and Professions Code sections 23038, 23396, and 25665, and EGMC Title 4 sections 4.10.300 and 4.10.305, and that these violations give rise to a presumption of negligence under Evidence Code section 669.

61. This cause of action is premised on the Z Town Defendants' failure to provide reasonable security and to respond reasonably to a known and escalating threat of violence, not on the furnishing of alcohol.

62. The duties alleged in this cause of action do not depend on Randall's relationship to any defendant. The Z Town Defendants owed their patrons a duty to use reasonable care to protect them from foreseeable criminal conduct by any person on the Premises, whether an employee or agent of Z Town, an employee or agent of a security contractor, a patron, or any other third party. Plaintiffs are informed and believe that, whatever Randall's status at the time of the incident (on duty employee, off duty employee, patron), the Z Town Defendants knew of his altercation with Huynh, permitted him to leave the Premises and return, and allowed him to re-enter without stopping, screening, or searching him.

63. Plaintiffs are informed and believe that Z Town retained DOES 36 through 50 to perform some or all of the security, door, and crowd-control functions at the Premises. Z Town's duty to provide reasonable security for its patrons was nondelegable, and Z Town is liable for the negligent performance of those functions by DOES 36 through 50. Z Town and DOES 1 through 25 were also negligent in selecting, instructing, and supervising DOES 36 through 50, including by failing to require weapons screening, control of re-entry, age verification, and background checks of security personnel.

64. The Z Town Defendants' negligence was a substantial factor in causing Decedent's death and Plaintiffs' resulting damages, as alleged above.

SECOND CAUSE OF ACTION

Wrongful Death — Negligent Hiring, Supervision, and Retention

(By All Plaintiffs Against Z Town, DOES 1 through 25, and DOES 36 through 50)

65. Plaintiffs reallege and incorporate by reference each of the foregoing paragraphs of this Complaint as though fully set forth herein.

66. Plaintiffs are informed and believe that Z Town and DOES 1 through 25, or in the alternative DOES 36 through 50, hired, retained, and supervised Randall, Thao Tran, and the security and door personnel working at the Premises on November 1-2, 2025.

67. Plaintiffs allege that Randall was unfit and posed a particular risk of violence to patrons given his criminal record at the time he was hired and all times that he worked for Z Town and DOES 1-25 or, in the alternative, DOES 36-50. The defendant or defendants that employed Randall knew or should have known of that unfitness and risk, including through a reasonable background check, which would have revealed Randall's criminal history, including his prosecution for attempted premeditated murder, his convictions for offenses involving the sexual exploitation of a minor and for burglary, and his sex-offender registration.

68. Plaintiffs allege that Z Town, DOES 1 through 25, and DOES 36 through 50 also knew or should have known of the relationship between Randall and Tran, and of the risk that conflicts involving Tran and patrons could provoke Randall to violence at the Premises. They failed to supervise Randall, Tran, and the security and door personnel, and failed to train those personnel to recognize and manage altercations, to screen persons for weapons, and to prevent persons involved in altercations from re-entering the Premises.

69. This cause of action is pleaded in the alternative. Whether or not Randall was employed by any defendant, the security and door personnel who permitted Randall to re-enter the Premises were unfit or incompetent to perform their duties, and the defendant or defendants that hired, retained, and supervised them knew or should have known of that unfitness or incompetence.

70. The negligence of Z Town, DOES 1 through 25, and DOES 36 through 50 in hiring, supervising, and retaining Randall and the security and door personnel was a substantial factor in causing Decedent's death and Plaintiffs' resulting damages, as alleged above.

THIRD CAUSE OF ACTION

Wrongful Death — Premises Liability

(By All Plaintiffs Against Z Town, Pan Pacific, and DOES 1 through 60)

71. Plaintiffs reallege and incorporate by reference each of the foregoing paragraphs of this Complaint as though fully set forth herein.

72. At all relevant times, Z Town, Pan Pacific, and DOES 1 through 60 owned, leased, occupied, managed, and/or controlled the Premises and the building, shopping center, parking areas, entrances, and common areas in which the Premises are located.

73. These defendants were negligent in the use and maintenance of that property. They knew or, in the exercise of reasonable care, should have known that a late-night nightclub was operating on the property without adequate security, weapons screening, entry control, or age verification, and that violence had already occurred there, including the November 3, 2024 assault. The risk that a patron would be seriously injured or killed by violence at the Premises was therefore foreseeable.

74. These defendants failed to use reasonable care to discover and correct these unsafe conditions, failed to provide security or adequate entry control, and failed to warn patrons of the danger.

75. The negligence of Z Town, Pan Pacific, and DOES 1 through 60 was a substantial factor in causing Decedent's death and Plaintiffs' resulting damages, as alleged above.

FOURTH CAUSE OF ACTION

Wrongful Death — Negligence

(By All Plaintiffs Against Pan Pacific and DOES 51 through 60)

76. Plaintiffs reallege and incorporate by reference each of the foregoing paragraphs of this Complaint as though fully set forth herein.

77. Plaintiffs are informed and believe that Pan Pacific and DOES 51 through 60 (the "Landlord Defendants") leased the Premises to Z Town under a written lease that restricted the permitted use of the Premises, required compliance with applicable laws, licenses, and permits, gave the Landlord Defendants rights of inspection, and gave them the right to require cure of, or to terminate the lease for, violations. Plaintiffs are informed and believe that the Landlord Defendants also retained control over the parking areas, entrances, and common areas of the shopping center.

78. Plaintiffs are informed and believe that the Landlord Defendants knew, when they leased the Premises to Z Town and throughout the tenancy, that Z Town would sell alcoholic beverages at the Premises under an ABC license. Pan Pacific is identified as Z Town's landlord in the application Z Town submitted to ABC for License No. 650586, which was obtained by transfer of License No. 47-634635 (relating to business Uncles Chinese Cuisine at 8409 Elk Grove Florin Rd., Elk Grove, CA, 95624). Plaintiffs are further informed and believe that the Landlord Defendants received rent from Z Town and therefore profited directly from Z Town's late-night alcohol sales.

79. The Landlord Defendants knew or should have known, from the lease, from the operation of their own property, from the widely publicized *Sacramento Bee* coverage, from the November 3, 2024 assault and other calls for service, and from the visible late-night operation of the business, that Z Town was operating an unlicensed, unsecured nightclub at the Premises in violation of law and, on information and belief, of the lease.

80. Plaintiffs are informed and believe that the Landlord Defendants, through their property managers, maintenance personnel, and agents, had actual knowledge of Z Town's late-night nightclub operations, including amplified music audible outside the Premises, crowds of patrons in the shopping center's parking areas and common areas until after 2:00 a.m., exterior signage and advertising promoting nightlife and all-you-can-drink offers, and the November 3, 2024 assault and the noise-disturbance and alarm calls at the Premises. The Landlord Defendants did not inquire into Z Town's security, licensing, or operations, did not

require Z Town to cure any violation of the lease, and took no action after the November 3, 2024 assault.

81. Plaintiffs are informed and believe that, after the altercation inside the Premises, Randall left the Premises and retrieved a firearm from his vehicle in the shopping center's parking areas and common areas, which the Landlord Defendants controlled, and returned through those areas to the Premises. Plaintiffs are informed and believe that the Landlord Defendants provided no security patrol, monitoring, or other security measures in those areas during the late-night hours they knew Z Town operated, despite the November 3, 2024 assault.

82. Plaintiffs are informed and believe and thereon allege that, having actual knowledge of the dangerous manner in which Z Town operated the Premises, and the right and ability under the lease and their control of the common areas to remedy it, the Landlord Defendants owed patrons of the Premises, including Decedent, a duty of reasonable care. Given the prior assault at the Premises and the Landlord Defendants' knowledge of Z Town's late-night nightclub operations, violent crime at the Premises was highly foreseeable. The measures that duty required were not unduly burdensome. The Landlord Defendants breached their duty by, among other things:

(a) permitting Z Town's unlawful and dangerous use of the Premises to continue, and failing to enforce the use, compliance-with-law, and default provisions of the lease;

(b) failing to require Z Town, as a condition of continuing the tenancy, to adopt a security plan, provide trained security and door personnel, screen for weapons, and verify the ages of patrons;

(c) failing to require Z Town to obtain the licenses and permits its nightclub operations required, including a Special Business License from the City;

(d) failing to inspect the Premises or inquire into Z Town's operations after the November 3, 2024 assault and the calls for service;

(e) failing to provide security patrols, monitoring, or lighting in the parking areas and common areas during the late-night hours they knew Z Town operated; and

(f) failing to take any other reasonable step to abate the danger.

83. The Landlord Defendants' negligence was a substantial factor in causing Decedent's death and Plaintiffs' resulting damages, as alleged above.

FIFTH CAUSE OF ACTION

Wrongful Death — Breach of Mandatory Duty

(Gov. Code, § 815.6)

(By All Plaintiffs Against the City of Elk Grove and DOES 61 through 75)

84. Plaintiffs reallege and incorporate by reference each of the foregoing paragraphs of this Complaint as though fully set forth herein.

85. Under Government Code section 815.6, a public entity that is under a mandatory duty imposed by an enactment designed to protect against the risk of a particular kind of injury is liable for an injury of that kind proximately caused by its failure to discharge the duty.

86. Plaintiffs are informed and believe that the City of Elk Grove was under the following mandatory duties:

(a) the duty under Business and Professions Code section 25619 of every peace officer, including EGPD officers, to enforce the Alcoholic Beverage Control Act and to inform against persons they have reasonable cause to believe are violating it;

(b) the duty, as reflected in California Code of Regulations, title 4, section 164, of local law enforcement to transmit to ABC arrest reports and calls for service at ABC-licensed premises; and

(c) the duty under EGMC Chapter 4.10 and the business-specific provisions of EGMC Title 4 sections 4.10.300 and 4.10.305 to require a Special Business License, with its attendant conditions and security requirements, for businesses operating as dance clubs, halls, or public dances.

87. These enactments are designed to protect patrons of ABC-licensed premises and of dance and entertainment venues against the risk of violence and serious injury, which is the kind of injury Decedent suffered.

88. The City breached these duties when EGPD officers responding to the November 3, 2024 assault and to the noise-disturbance and alarm calls at the Premises failed to transmit those calls to ABC or take enforcement action under the Act, despite observing a licensed premises operating as a nightclub well past its represented closing time, and when City licensing staff failed to require Z Town to obtain a Special Business License.

89. These failures were a proximate cause of Decedent's death. Had the City discharged its duties, ABC would have been required to investigate Z Town, would have discovered its after-hours nightclub operations, prohibited promotions, and underage patrons, and would have initiated suspension or revocation proceedings; and Z Town would have been required to implement the security measures, including age verification and entry control, that would have prevented Huynh's presence and Randall's armed re-entry.

90. As these failures to perform these specific mandatory duties were a proximate cause of Decedent's death, they were a substantial factor in causing Plaintiffs' resulting damages, as alleged above.

SIXTH CAUSE OF ACTION

Wrongful Death — Negligence of Public Employees

(Gov. Code, §§ 815.2, 820)

(By All Plaintiffs Against the City of Elk Grove and DOES 61 through 75)

91. Plaintiffs reallege and incorporate by reference each of the foregoing paragraphs of this Complaint as though fully set forth herein.

92. Under Government Code section 815.2, the City is liable for injuries proximately caused by the acts or omissions of its employees within the scope of their employment if those acts or omissions would give rise to a cause of action against the employees.

93. DOES 61 through 75, acting within the scope of their employment with the City, were negligent in performing ministerial duties of implementation, including transmitting calls for service at the Premises to ABC, enforcing the Alcoholic Beverage Control Act as to

conditions they observed at the Premises, and applying the established criteria of EGMC Title 4 to Z Town's publicly advertised dance and entertainment operations.

94. These acts and omissions were not discretionary policy decisions and are not immune under Government Code sections 818.4, 818.6, 820.2, or 845. The negligence of DOES 61 through 75 was a substantial factor in causing Decedent's death and Plaintiffs' resulting damages, for which the City is vicariously liable.

SEVENTH CAUSE OF ACTION

Wrongful Death — Breach of Mandatory Duty

(Gov. Code, § 815.6)

(By All Plaintiffs Against the State and DOES 76 through 100)

95. Plaintiffs reallege and incorporate by reference each of the foregoing paragraphs of this Complaint as though fully set forth herein.

96. Plaintiffs are informed and believe that the State, through ABC, was under mandatory duties imposed by article XX, section 22 of the California Constitution and the Alcoholic Beverage Control Act, including Business and Professions Code sections 24200 and 24208, and by the regulations and published enforcement programs implementing them, including ABC's IMPACT (Informed Merchants Preventing Alcohol-Related Crime Tendencies) program, to:

(a) investigate complaints of service of alcohol to minors at licensed premises and take action upon them;

(b) monitor Type 47 licensees for compliance with the requirements of their licenses, including bona fide eating place requirements; and

(c) initiate suspension or revocation proceedings against licenses obtained by misrepresentation of material facts.

97. These enactments are designed to protect members of the public, including patrons of licensed premises, against the risk of violence and serious injury at premises that operate outside the terms of their licenses, without the conditions, security measures, and regulatory oversight the law requires, which is the kind of injury Decedent suffered.

98. The State breached these duties by closing the complaint of service to a minor at the Premises without investigation, by never inspecting the Premises at any time during the life of License No. 650586, and by failing to act on Z Town's publicly evident misrepresentations about its hours, its character as a business, and its menu.

99. These failures were a proximate cause of Decedent's death. Had the State discharged its duties, it would have been required to initiate suspension or revocation proceedings, and Z Town would not have been operating as an unlicensed, unsecured nightclub on November 2, 2025, or would have been required to obtain the proper license and implement the security measures that would have prevented Huynh's presence and Randall's armed re-entry.

EIGHTH CAUSE OF ACTION

Wrongful Death — Negligence of Public Employees

(Gov. Code, §§ 815.2, 820)

(By All Plaintiffs Against the State of California and DOES 76 through 100)

100. Plaintiffs reallege and incorporate by reference each of the foregoing paragraphs of this Complaint as though fully set forth herein.

101. DOES 76 through 100, acting within the scope of their employment with ABC, were negligent in performing ministerial duties of implementation, including investigating the complaint of service to a minor at the Premises, conducting the compliance visits called for by ABC's published enforcement programs, and comparing Z Town's representations to ABC with its publicly advertised operations.

102. These acts and omissions were the negligent implementation of policy already adopted by ABC, not discretionary policy decisions, and are not immune under Government Code sections 818.4, 818.6, or 820.2. The negligence of DOES 76 through 100 was a substantial factor in causing Decedent's death and Plaintiffs' resulting damages, for which the State is vicariously liable.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs, and each of them, pray for judgment against Defendants, and each of them (other than the Nominal Defendants), as follows:

1. For economic damages, including loss of Decedent's financial support, gifts and benefits, and household services, in an amount according to proof;
2. For non-economic damages, including loss of Decedent's love, companionship, comfort, care, assistance, protection, affection, society, moral support, training, and guidance, in an amount according to proof;
3. For reasonable funeral and burial expenses, in an amount according to proof;
4. For prejudgment interest as allowed by law, including under Civil Code section 3291;
5. For costs of suit incurred herein; and
6. For such other and further relief as the Court deems just and proper.

Dated: November 2, 2026

GOMERMAN | BOURN & ASSOCIATES

By: _____
ROBERT HESTER
Attorneys for Plaintiffs
VICKY N. VO and IVY N. VO, minors, by and through their Guardian ad Litem, TRAM LE

DEMAND FOR JURY TRIAL

Plaintiffs hereby demand a trial by jury on all causes of action so triable.

Dated: November 2, 2026

GOMERMAN | BOURN & ASSOCIATES

By: _____
ROBERT HESTER
Attorneys for Plaintiffs
VICKY N. VO and IVY N. VO, minors,
by and through their Guardian ad Litem,
TRAM LE