

**IN THE CIRCUIT COURT OF THE 11<sup>TH</sup> JUDICIAL CIRCUIT  
IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

**DAPHNE CAMPBELL**  
a Personal Representative of the Estate of  
**JASON CAMPBELL,**

**CASE NO.: 2022-001193-CA-01**

Plaintiff,  
v.

**MONTE CARLO CONDOMINIUM ASSOCIATION,  
AKAM & ASSOCIATES, LLC., AND  
EMS PROTECTIVE GROUP, LLC.,**

Defendant(s).

\_\_\_\_\_/

**AMENDED COMPLAINT AND DEMAND FOR JURY TRIAL**

Plaintiff, DAPHNE CAMPBELL, as Personal Representative of the Estate of Jason Campbell, hereby sues Defendant, MONTE CARLO CONDOMINIUM ASSOCIATION, Defendant, AKAM & ASSOCIATES, LLC., Defendant, EMS PROTECTIVE GROUP, LLC, and as grounds thereof would state as follows:

**ALLEGATIONS AS TO ALL COUNTS**

1. This is an action brought in excess of thirty thousand dollars (\$30,000.00) exclusive of interest, costs and attorneys fees and brought pursuant to the Florida Wrongful Death Act, Fla. Stat. 768.16.
2. At all material times, Plaintiff, DAPHNE CAMPBELL, is the duly appointed Personal Representative of the Estate of Jason Campbell, and is a resident of Miami-Dade County, Florida.
3. At all material times, H.C., (1 year old) was the natural child of the decedent, JASON CAMPBELL, and is a statutory survivor.

4. At all material times, C.C., (3 years old) was the natural child of the decedent, JASON CAMPBELL, and is a statutory survivor.
5. At all material times, J.J., (6 years old) was the natural child of the decedent, JASON CAMPBELL, and is a statutory survivor.
6. At all material times, HUBERT CAMPBELL, was the father of the decedent, JASON CAMPBELL, and is a statutory survivor.
7. At all material times, DAPHNE DURAND CAMPBELL, was the mother of the decedent, JASON CAMPBELL, and is a statutory survivor.
8. At all material times, Defendant, MONTE CARLO CONDOMINIUM ASSOCIATION, (hereinafter “MONTE CARLO”) was doing business in Florida at the principal address of 494 NW 165<sup>th</sup> Street, Miami, FL 33169. Upon information and belief, MONTE CARLO owned and operated the property where the incident occurred, hereinafter “Subject Property.”
9. At all material times, Defendant, AKAM & ASSOCIATES, LLC., (hereinafter “AKAM”) was doing business in Florida at the principal address of principal address of 304 1<sup>st</sup> Street, Saint Augustine, FL 32084. Upon information and belief, AKAM was contracted to provide management services at the property where the incident occurred.
10. At all material times, Defendant, EMS PROTECTIVE GROUP, LLC., (hereinafter “EMS”) was doing business in Florida at the principal address of principal address of 1451 W. Cypress Creek, Suite 300, Ft. Lauderdale, FL 33309. Upon information and belief, EMS was contracted to provide security services at the property where the incident occurred.

11. Venue is proper in Miami-Dade County because at all material times Defendant, MONTE CARLO, held a principal place of business in and was doing business in Miami-Dade County and the subject incident occurred in Miami-Dade County.

**JASON CAMPBELL'S MURDER**

12. On or about Tuesday, June 1, 2021, Decedent, Jason Campbell, was visiting JANE DOE, who was a tenant at the Subject Property. At approximately 7:57 a.m., LAKORIA WASHINGTON entered MONTE CARLO'S property without authorization or invitation from DOE. WASHINGTON walked past the guard post and through the front gates of the Subject Property without being stopped or questioned by employees of MONTE CARLO, AKAM, or EMS.
13. WASHINGTON took the elevator to DOE's floor and knocked on her door. DOE answered the door and was shocked and terrified to see WASHINGTON, who had previously gained access to the property without DOE's permission and while armed with a firearm. WASHINGTON produced a firearm and pushed her way past DOE. DOE fled the apartment and hid. WASHINGTON entered the bedroom where JASON CAMPBELL was resting and shot him in the chest. WASHINGTON then fled. JASON CAMPBELL exited the apartment with a gunshot wound to the chest and sought help before collapsing and succumbing to his injuries.
14. This was not the first time WASHINGTON had gained access to the property without authorization from a tenant and used a firearm. On February 22, 2021, at approximately 12:30 a.m., WASHINGTON was allowed onto MONTE CARLO's property without DOE's authorization. WASHINGTON proceeded to DOE's apartment to confront her about another man with whom DOE was having a relationship. DOE refused to open the

door. WASHINGTON walked to the parking lot and found the vehicle of the man who was visiting DOE. WASHINGTON then produced a firearm and shot the windows out of the man's vehicle. Miami-Dade County Police Department investigated the incident and obtained CCTV video of WASHINGTON entering the property without authorization from the tenant, walking through the common areas to DOE's apartment and then using a firearm in the parking lot before fleeing.

15. Defendants MONTE CARLO, AKAM and EMS were aware of the February 22, 2021 incident and failed to take reasonable measures to prevent WASHINGTON, and uninvited persons with criminal intent like WASHINGTON, from gaining access and committing crimes on the property.

**COUNT I: NEGLIGENCE AGAINST MONTE CARLO**

16. At all material times the Defendant, MONTE CARLO, itself and/or through its agents and employees, owed a non-delegable duty to invitees, including, JASON CAMPBELL, to exercise reasonable care to maintain the Subject Property in a reasonably safe condition for use by its invitees and to protect its invitees from reasonably foreseeable criminal attacks on the premises.
17. At all material times the Defendant knew or in the exercise of reasonable care should have known that the Subject Property and areas adjacent thereto were in a high crime area, and that prior to June 1, 2021, there had been numerous criminal acts and violent acts upon and around the Subject Property and that such acts would continue to occur unless Defendant took steps to provide proper security for such individuals on the Subject Property.

18. At all materials times, the criminal attack upon JASON CAMPBELL was reasonably foreseeable to the Defendant and Defendant was in a superior position to appreciate such dangers and take necessary and reasonable steps to prevent harm to its tenants and invitees.
19. On the date of the shooting, Defendant by and through its agents and employees breach its duty to exercise reasonable care for the safety and protection of its invitees, including JASON CAMPBELL, through the following acts or omissions:
- a. Failing to provide adequate security for its tenants and invitees, including JASON CAMPBELL;
  - b. Failing to warn its tenants and invitees, including JASON CAMPBELL, of the nature and the character of the Premises and surrounding area when it knew or in the exercise of reasonable care should have known that numerous crimes against persons had occurred on the Defendant's premises prior to the shooting of JASON CAMPBELL;
  - c. Failing to secure the premises, warn tenants of dangerous, protect tenants from dangers, guard tenants from dangers and promote the safety of its tenants, when the Defendant knew or should have known that the Subject Premises had a history of similar crimes against persons, hereby creating a dangerous condition of those individuals on the property of Defendant;
  - d. Failing to police, patrol, guard deter and otherwise provide adequate protections for its tenants and invitees where Defendant knew or should have known crime would occur on the property in the absence of such precautions;

- e. Failing to hire and/or retain any private security personnel and/or off duty police officers to patrol and/or monitor the Defendant's premises, thereby protecting its tenants and invitees, including JASON CAMPBELL;
- f. Failing to have a sufficient number of security guards in visible areas to deter crime, thereby protecting its tenants and invitees, including JASON CAMPBELL;
- g. Failing to have an adequate number of security guards to protect its tenants and invitees, including JASON CAMPBELL;
- h. Failing to properly train security guards to be reasonably skillful, competent and/or qualified to exercise appropriate and proper security measures so that they could protect its tenants and invitees, including JASON CAMPBELL;
- i. Failing to have operational surveillance cameras in locations throughout the Subject Premises;
- j. Failing to have an adequate number of operational surveillance cameras in locations through the Subject Premises;
- k. Failing to position surveillance in appropriate locations such that criminal activity would have been deterred in the common areas on the property;
- l. Failing to hire, manage, train and staff the property with appropriate property management and security personnel;
- m. Failing to maintain the gates and fences to create meaningful access control on the property;
- n. Defendant itself and/or through its agents and employees also failed to have any procedures governing the inspection, supervision, and/or security of the premises where the shooting occurred;

20. The lack of these security features created a dangerous environment on the property whereby crimes against MONTE CARLO's invitees was all but guaranteed. As a result of the negligence of the Defendant, MONTE CARLO, JASON CAMPBELL was shot and killed on June 1, 2021.

21. As a direct and proximate result of Defendant's failures, Plaintiff, DAPHNE CAMPBELL, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF JASON CAMPBELL, demands judgement against Defendant for all damages recoverable under the Wrongful Death Act, including, but not limited to:

- a. funeral expenses;
- b. medical and hospital expenses;
- c. loss of decedent's net accumulations, which would otherwise have been acquired;
- d. losses of the survivors including mental and emotional anguish, medical, funeral and other expenses incurred, and loss of the decedent's love, affection, support, services, protection, companionship, instruction;
- e. all recoverable costs of this action; all legally recoverable interest; and any other relief to which the Plaintiff may be legally entitled.

#### **COUNT II: NEGLIGENCE AGAINST AKAM**

22. At all material times the Defendant itself and/or through its agents and employees, as a professionally hired property management company, owed a duty to its tenants and guests, including JASON CAMPBELL, to exercise reasonable care in providing property management services at the Subject Property and maintaining the property in a reasonably safe condition for use by its invitees and to protect its invitees from reasonably foreseeable criminal attacks on the premises.

23. At all material times the Defendant knew or in the exercise of reasonable care should have known that the Subject Property and areas adjacent thereto were in a high crime area, and that prior to June 1, 2021, there had been numerous criminal acts and violent acts upon and around the Subject Property and that such acts would continue to occur unless Defendant took steps to provide proper security for such individuals on the Subject Property.
24. At all materials times, the criminal attack upon JASON CAMPBELL was reasonably foreseeable to the Defendant and Defendant was in a superior position to appreciate such dangers and take necessary and reasonable steps to prevent harm to its tenants and invitees.
25. On the date of the shooting, Defendant by and through its agents and employees breach its duty to exercise reasonable care for the safety and protection of its invitees, including JASON CAMPBELL, through the following acts or omissions:
- a. Failing to provide adequate security for its tenants and invitees, including JASON CAMPBELL;
  - b. Failing to warn its tenants and invitees, including JASON CAMPBELL, of the nature and the character of the Premises and surrounding area when it knew or in the exercise of reasonable care should have known that numerous crimes against persons had occurred on the Defendant's premises prior to the shooting of JASON CAMPBELL;
  - c. Failing to secure the premises, warn tenants of dangerous, protect tenants from dangers, guard tenants from dangers and promote the safety of its tenants, when the Defendant knew or should have known that the Subject Premises had a history



of similar crimes against persons, hereby creating a dangerous condition of those individuals on the property of Defendant;

- d. Failing to police, patrol, guard deter and otherwise provide adequate protections for its tenants and invitees where Defendant knew or should have known crime would occur on the property in the absence of such precautions;
- e. Failing to hire and/or retain any private security personnel and/or off duty police officers to patrol and/or monitor the Defendant's premises, thereby protecting its tenants and invitees, including JASON CAMPBELL;
- f. Failing to have a sufficient number of security guards in visible areas to deter crime, thereby protecting its tenants and invitees, including JASON CAMPBELL;
- g. Failing to have an adequate number of security guards to protect its tenants and invitees, including JASON CAMPBELL;
- h. Failing to properly train security guards to be reasonably skillful, competent and/or qualified to exercise appropriate and proper security measures so that they could protect its tenants and invitees, including JASON CAMPBELL;
- i. Failing to have operational surveillance cameras in locations throughout the Subject Premises;
- j. Failing to have an adequate number of operational surveillance cameras in locations through the Subject Premises;
- k. Failing to position surveillance in appropriate locations such that criminal activity would have been deterred in the common areas on the property;
- l. Failing to hire, manage, train and staff the property with appropriate management personnel;

- m. Failing to maintain the gates and fences to create meaningful access control on the property;
  - n. Defendant itself and/or through its agents and employees also failed to have any procedures governing the inspection, supervision, and/or security of the premises where the shooting occurred;
26. The lack of these security features created a dangerous environment on the property whereby crimes against MONTE CARLO's invitees was all but guaranteed. As a result of the negligence of the Defendant, AKAM, JASON CAMPBELL was shot and killed on June 1, 2021.
27. As a direct and proximate result of Defendant's failures, Plaintiff, DAPHNE CAMPBELL, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF JASON CAMPBELL, demands judgement against Defendant for all damages recoverable under the Wrongful Death Act, including, but not limited to:
- a. funeral expenses;
  - b. medical and hospital expenses;
  - c. loss of decedent's net accumulations, which would otherwise have been acquired;
  - d. losses of the survivors including mental and emotional anguish, medical, funeral and other expenses incurred, and loss of the decedent's love, affection, support, services, protection, companionship, instruction;
  - e. all recoverable costs of this action; all legally recoverable interest; and any other relief to which the Plaintiff may be legally entitled.

**COUNT III: NEGLIGENCE AGAINST EMS**

28. At all material times the Defendant, EMS, itself and/or through its agents and employees, as the hired professional security company, owed a duty to MONTE CARLO's and guests, including JASON CAMPBELL, to exercise reasonable care to maintain the Subject Property in a reasonably safe condition for use by its invitees and to protect its invitees from reasonably foreseeable criminal attacks on the premises.
29. At all material times the Defendant knew or in the exercise of reasonable care should have known that the Subject Property and areas adjacent thereto were in a high crime area, and that prior to June 1, 2021, there had been numerous criminal acts and violent acts upon and around the Subject Property and that such acts would continue to occur unless Defendant took steps to provide proper security for such individuals on the Subject Property.
30. At all materials times, the criminal attack upon JASON CAMPBELL was reasonably foreseeable to the Defendant and Defendant was in a superior position to appreciate such dangers and take necessary and reasonable steps to prevent harm to its tenants and invitees.
31. On the date of the shooting, Defendant by and through its agents and employees breach its duty to exercise reasonable care for the safety and protection of its invitees, including JASON CAMPBELL, through the following acts or omissions:
- a. Failing to provide adequate security for its tenants and invitees, including JASON CAMPBELL;
  - b. Failing to warn its tenants and invitees, including JASON CAMPBELL, of the nature and the character of the Premises and surrounding area when it knew or in the exercise of reasonable care should have known that numerous crimes against

persons had occurred on the Defendant's premises prior to the shooting of JASON CAMPBELL;

- c. Failing to secure the premises, warn tenants of dangerous, protect tenants from dangers, guard tenants from dangers and promote the safety of its tenants, when the Defendant knew or should have known that the Subject Premises had a history of similar crimes against persons, hereby creating a dangerous condition of those individuals on the property of Defendant;
- d. Failing to police, patrol, guard deter and otherwise provide adequate protections for its tenants and invitees where Defendant knew or should have known crime would occur on the property in the absence of such precautions;
- e. Failing to hire and/or retain any private security personnel and/or off duty police officers to patrol and/or monitor the Defendant's premises, thereby protecting its tenants and invitees, including JASON CAMPBELL;
- f. Failing to have a sufficient number of security guards in visible areas to deter crime, thereby protecting its tenants and invitees, including JASON CAMPBELL;
- g. Failing to have an adequate number of security guards to protect its tenants and invitees, including JASON CAMPBELL;
- h. Failing to properly train security guards to be reasonably skillful, competent and/or qualified to exercise appropriate and proper security measures so that they could protect its tenants and invitees, including JASON CAMPBELL;
- i. Failing to have operational surveillance cameras in locations throughout the Subject Premises;

- j. Failing to have an adequate number of operational surveillance cameras in locations through the Subject Premises;
  - k. Failing to position surveillance in appropriate locations such that criminal activity would have been deterred in the common areas on the property;
  - l. Failing to hire, manage, train and staff the property with appropriate property security personnel;
  - m. Failing to maintain the gates and fences to create meaningful access control on the property;
  - n. Defendant itself and/or through its agents and employees also failed to have any procedures governing the inspection, supervision, and/or security of the premises where the shooting occurred;
31. The lack of these security features created a dangerous environment on the property whereby crimes against MONTE CARLO's invitees was all but guaranteed. As a result of the negligence of the Defendant, EMS, JASON CAMPBELL was shot and killed on June 1, 2021.
32. As a direct and proximate result of Defendant's failures, Plaintiff, DAPHNE CAMPBELL, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF JASON CAMPBELL, demands judgement against Defendant for all damages recoverable under the Wrongful Death Act, including, but not limited to:
- a. funeral expenses;
  - b. medical and hospital expenses;
  - c. loss of decedent's net accumulations, which would otherwise have been acquired;

- d. losses of the survivors including mental and emotional anguish, medical, funeral and other expenses incurred, and loss of the decedent's love, affection, support, services, protection, companionship, instruction;
- e. all recoverable costs of this action; all legally recoverable interest; and any other relief to which the Plaintiff may be legally entitled.

**WHEREFORE,** Plaintiff, DAPHNE CAMPBELL, AS PERSONAL REPRESENTATIVE FOR THE ESTATE OF JASON CAMPBELL, demands judgement against the Defendants for all damages recoverable under the law of Florida and further demands a trial by jury on all issues so triable as of right by a jury.

**DEMAND FOR JURY TRIAL**

Plaintiff demands a trial by jury on all issues triable as of right by jury.

DATED this 21<sup>st</sup> day January, 2022.

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