

CLAIM FOR DAMAGES UNDER TORT CLAIMS ACT

2015 JUN -5 AM 11:25

STATE OF NORTH CAROLINA

COUNTY OF Mecklenburg

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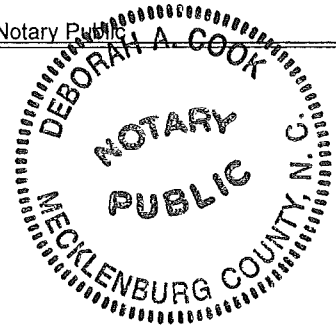
Jeffrey Douglas Williams, as the Personal Representative of the Estate of Jeffrey Lee Williams, being duly sworn, deposes and says:

- 1. That his name is Jeff D. Williams.
2. That he lives at 1959 Landry Lane, Rock Hill, SC 29732 and that his mailing address is the same as above.
3. That he hereby files a claim against the: Medical Examiner's Office of Watauga County NC, NC Office of the Chief Medical Examiner, and NC Department of Health and Human Services and that its mailing addresses are: Office of the Chief Medical Examiner, 3025 Mail Service Center, Raleigh, NC 27699-3025, and DHHS, 2001 Mail Service Center, Raleigh, NC 27699-2001.
4. That he has been damaged in the amount of \$ 1,000,000 by reason of the negligent conduct of the employee/agent named here: Dr. Brent Hall and others to be identified during discovery.
5. That the injury or accident giving rise to this claim occurred at Best Western Plus Blue Ridge Plaza Hotel, located in Boone, NC on or about June 7th and 8th, 2013 sometime between the hours of 9:30 pm and 12:00pm the following day.
6. That the injury or property damage occurred in the following manner: Jeffrey L. Williams, a minor, suffered injuries and death and his mother Jeannie Williams suffered severe injuries and damages while staying in Room 225 of the Best Western Plus Hotel located in Boone, NC. Upon information and belief, both Jeffrey Williams and Jeannie Williams were injured by dangerous, toxic and lethal levels of carbon monoxide coming from a pool heater and its related components and systems, including the exhaust venting system. Upon information and belief, two other adults (Daryl and Shirley Jenkins) died in the same room of the same hotel approximately 2 months earlier from the exact same cause. The Medical Examiner for Watauga County, as well the Office of the Chief Medical Examiner and the DHHS, failed to properly and timely investigate the deaths of the Jenkins, failed to properly act when they knew or should have known that carbon monoxide was the cause of death of at least one of the decedents, and failed to take immediate action, including but not limited to the evacuation and closing of the hotel.
7. That the damages claimed above consist of: severe, painful, and fatal bodily injuries, great pain of the body and mind, and the Plaintiff has incurred expenses for the funeral and burial services of the Decedent, and the Decedent's family and loved ones have lost his income or earning capacity, society, companionship, comfort, guidance, kindly offices, and advice.

Handwritten signature of Jeffrey D. Williams, as P.R. of Estate of Jeffrey L. Williams

6/1/15 Date

Subscribed and sworn to before me this 15th day of June, 2015. Deborah A. Cook My Commission Expires 9/28/2019



The North Carolina Tort Claims Act requires that every affidavit submitted must show **ALL** of the following:

1. The name of the claimant.
2. The name of the state department, institution or agency against which the claim is filed.
3. The name of the state employee upon whose alleged negligence the claim is based.
4. The amount of damages sought to be recovered.
5. The time and place where the injury occurred.
6. A brief statement of the facts and circumstances surrounding the injury.
7. If the claim involves a school bus, the claim should be filed against the particular **COUNTY** Board of Education concerned and **NOT** against the State Board of Education.
8. A claim for property damage to a motor vehicle must be in the **NAME OF THE REGISTERED OWNER OF THE VEHICLE ONLY**.

Mail to:

**North Carolina Industrial Commission
Dockets Section
4336 Mail Service Center
Raleigh, NC 27699-4336**