

STATE OF RHODE ISLAND
PROVIDENCE, SC

SUPERIOR COURT

SCOTT A. AMARAL,

Plaintiff,

v.

UNIVERSAL PROTECTION SERVICE, LLC
d/b/a ALLIED UNIVERSAL SECURITY
SERVICES, JANE DOE, JOHN DOE, and
JOHN ROE,

Defendants.

CIVIL ACTION
NO.: PC-2024-

COMPLAINT

Introduction

On September 8, 2023, at 7:00 a.m., Scott Amaral, a registered nurse with more than twenty years of experience, reported to his regularly scheduled shift at Rhode Island Hospital's Inpatient Psychiatry and Behavioral Health Unit at the Jane Brown Building. At 7:40 a.m., Amaral was attacked by psychiatric patient, John Roe,¹ and suffered serious and permanent injuries. At the time of the attack, two Allied Universal Security Services officers were assigned to the unit. One officer was only feet away from Amaral and Roe when the attack began. Seconds before the attack, as Amaral began to interact with Roe, a female security officer walked away from the area looking at her cellphone. As the attack went on, she failed to intervene, and did not attempt in any way to restrain Roe as he repeatedly struck Scott in the head and body. Another nearby security officer witnessed the attack and also failed to intervene.

¹ "John Roe" is a pseudonym used because the Defendant was a patient at the time of the attack. The Defendant's identify is known to the Plaintiff.

That officer responded to the incident only after Amaral’s co-workers—nurses and other healthcare workers—ran to his aid, restrained Roe, and secured him in a holding room.

The Allied Universal Security Services officers were untrained, ill-equipped, and unprepared for an incident like this, were ineffective when such an incident arose, were negligent in their failure to prevent the attack, and were negligent in their failure to intervene when Roe attacked Amaral. Their employer, Allied Universal Security Services, is responsible for that negligence, both vicariously and directly.

As a result of Roe’s attack, and Allied Universal Security Services’ negligence in failing prevent or to stop it, Amaral suffered serious and permanent personal injuries. During the attack he endured several blows to his head, neck, and chest. He collapsed in the nurses’ lounge and went into cardiac arrest. His co-workers came to his aid, undertaking life-saving resuscitative efforts. Amaral went into cardiac arrest several more times and was resuscitated each time. His injuries include cardiac arrest and other cardiac-related complications, traumatic brain injury, neurological injuries, and multiple rib/chest wall fractures. He was hospitalized at Rhode Island Hospital and Spaulding Rehabilitation Hospital for two months following the attack. He requires ongoing medical treatment for his injuries. His total medical expenses approach one million dollars (\$1,000,000.00). He is not able to work as a nurse at Rhode Island Hospital’s Inpatient Psychiatry and Behavioral Health Unit, a career to which he dedicated his life for more than two decades.

Parties

1. The Plaintiff, Scott A. Amaral (“Amaral”), is an individual who at all times relevant hereto resided in the County of Providence, State of Rhode Island.
2. The Defendant, Universal Protection Service, LLC d/b/a Allied Universal Security Services (“Allied Universal”), is a foreign corporation organized under the laws of the State of Delaware with a principal place of business in Santa Ana, County of Orange,

State of California. Allied Universal maintains an office in Cranston, County of Providence, State of Rhode Island.

3. The Defendant, Jane Doe (“Jane Doe”), is an individual who, upon information and belief, was employed by Allied Universal as a security officer.
4. The Defendant, John Doe (“John Doe”), is an individual who, upon information and belief, was employed by Allied Universal as a security officer.
5. The Defendant, John Roe (“John Roe”), is an individual whose identity is known to the Plaintiff. John Roe is a resident of the County of Providence, State of Rhode Island and is currently incarcerated at the Adult Correctional Institution in Cranston, Rhode Island.

Jurisdiction and Venue

6. The Superior Court can properly exercise subject matter jurisdiction over this action pursuant to R.I. Gen. Laws § 8-2-14 because the Superior Court has original jurisdiction over this cause of action as the amount in controversy exceeds \$10,000.
7. The Superior Court can properly exercise personal jurisdiction over Allied Universal pursuant to R.I. Gen. Laws § 9-5-33 (Rhode Island’s Long Arm Statute) because Allied Universal has sufficient minimum contacts with the State of Rhode Island, including maintaining an office within the State, conducting business within the State, and employing many individuals within the State, and the Plaintiff’s claims arise out of one or more of those contacts.
8. Providence County is the proper venue for this action pursuant to R.I. Gen. Laws § 9-4-3 because one or more of the parties resides in Providence County.

Facts Common to All Counts

9. On September 8, 2023, the Defendant, Allied Universal, was the security company responsible for maintaining Rhode Island Hospital in a safe condition and ensuring that Rhode Island Hospital’s patients and employees were safe and free from violence and other hazards.
10. On September 8, 2023, the Defendant, Allied Universal, was responsible for ensuring that its security officers were adequately trained and equipped for their assignments at Rhode Island Hospital.
11. On September 8, 2023, the Defendant, Allied Universal, was responsible for adequately supervising its security officers assigned to Rhode Island Hospital, including the Defendants, Jane Doe and John Doe.

12. On September 8, 2023, two Allied Universal security officers, the Defendants, Jane Doe and John Doe, were assigned to Rhode Island Hospital's Inpatient Psychiatry and Behavioral Health Unit, specifically on the fifth floor of the Jane Brown Building South. Upon information and belief, one of Allied Universal security officers, Jane Doe, was assigned to cover the entire unit, while the other, John Doe, was assigned to a "continuous observation" post for one patient.
13. On September 8, 2023, the Defendant, John Roe, was an inpatient in Rhode Island Hospital's Inpatient Psychiatry and Behavioral Health Unit. Upon information and belief, John Roe was known to have violent and dangerous tendencies.
14. On September 8, 2023, the Plaintiff, Amaral, was a registered nurse who was working his regularly scheduled 7:00 a.m. to 3:30 p.m. shift in Rhode Island Hospital's Inpatient Psychiatry and Behavioral Health Unit.
15. On September 8, 2023, at approximately 7:40 a.m., the Defendant, John Roe, violently attacked Amaral in a hallway of the unit.
16. On September 8, 2023, Allied Universal security officer, the Defendant, Jane Doe, who was assigned to the unit and was located only feet away from the attack, failed to prevent the attack from occurring and then failed to intervene once the attack began.
17. On September 8, 2023, Allied Universal security officer, the Defendant, John Doe, who was assigned to a nearby continuous observation post, observed the attack and also failed to intervene.
18. On September 8, 2023, the Allied Universal security officers, the Defendants, Jane Doe and John Doe, who were assigned to Rhode Island Hospital's Inpatient Psychiatry and Behavioral Health Unit, specifically the fifth floor of the Jane Brown Building South, were untrained, ill-equipped, and unprepared to prevent and/or respond to John Roe's attack on Amaral.
19. On September 8, 2023, the Defendant, John Roe, intentionally and repeatedly assaulted and battered the Plaintiff, Amaral.
20. The Defendant, Allied Universal, is vicariously responsible for the negligent conduct of its employees, agents, and/or servants, including Jane Doe and John Doe.
21. The Defendant, Allied Universal, is also directly negligent for their hiring, training, retention, and supervision of their employees, agents, and/or servants, including Jane Doe and John Doe.
22. As a direct and proximate result of the Defendants' wrongful conduct, the Plaintiff, Amaral, suffered serious personal injuries, including without limitation cardiac arrest and

other cardiac-related complications, a traumatic brain injury, neurological injuries, and multiple rib/chest wall fractures.

23. As a direct and proximate result of the Defendants' wrongful conduct, the Plaintiff, Amaral, has incurred and will continue to incur in the future medical bills, has lost and will continue to lose wages, has suffered great pain of body and mind, and has been prevented from engaging in his usual activities and business. The Plaintiff, Amaral, continues to suffer from great pain of body and mind, and continues to be prevented from engaging in his usual activities and business.

COUNT I
Negligence

Scott A. Amaral v. Universal Protection Service, LLC d/b/a Allied Universal Security Services

24. The Plaintiff, Scott A. Amaral, repeats and incorporates by reference herein paragraphs one through twenty-three.
25. This is an action against Universal Protection Service, LLC d/b/a Allied Universal Security Services for the negligence of its employees, agents, servants, and/or ones for whose conduct it was responsible on September 8, 2023, including Jane Doe and John Doe.
26. As a direct and proximate result of the negligence of Universal Protection Service, LLC d/b/a Allied Universal Security Services' employees, agents, and or servants, the Plaintiff, Scott A. Amaral, suffered serious personal injuries, incurred medical bills, incurred lost wages, suffered great pain of body and mind, and has been prevented from engaging in his usual activities and business.

WHEREFORE, the Plaintiff, Scott A. Amaral, demands judgment against the Defendant, Universal Protection Service, LLC d/b/a Allied Universal Security Services, in an amount sufficient to compensate him for his injuries, together with interest and costs and whatever other relief the Court deems meet and just. Said judgment will be in excess of the minimum jurisdictional amount.

COUNT II

Negligent Hiring, Training, Retention, and Supervision

Scott A. Amaral v. Universal Protection Service, LLC d/b/a Allied Universal Security Services

27. The Plaintiff, Scott A. Amaral, repeats and incorporates by reference herein paragraphs one through twenty-six.
28. This is an action against Universal Protection Service, LLC d/b/a Allied Universal Security Services for the negligent hiring, training, retention, supervision, and control of its employees, agents, servants, and/or ones whom it directed and for whose conduct it was responsible on September 8, 2023, including Jane Doe and John Doe.

29. As a direct and proximate result of Universal Protection Service, LLC d/b/a Allied Universal Security Services' negligent hiring, training, retention, supervision, and control of its employees, agents, servants, and/or ones whom it directed and for whose conduct it was responsible on September 8, 2023, the Plaintiff, Scott A. Amaral, suffered serious personal injuries, incurred medical bills, incurred lost wages, suffered great pain of body and mind, and has been prevented from engaging in his usual activities and business.

WHEREFORE, the Plaintiff, Scott A. Amaral, demands judgment against the Defendant, Universal Protection Service, LLC d/b/a Allied Universal Security Services, in an amount sufficient to compensate him for his injuries, together with interest and costs and whatever other relief the Court deems meet and just. Said judgment will be in excess of the minimum jurisdictional amount.

COUNT III
Negligence

Scott A. Amaral v. Jane Doe

30. The Plaintiff, Scott A. Amaral, repeats and incorporates by reference herein paragraphs one through twenty-nine.

31. This is an action for negligence against Jane Doe for her failure to prevent and/or intervene in John Roe's attack on Scott Amaral.

32. As a direct and proximate result of Jane Doe's negligence, the Plaintiff, Scott A. Amaral, suffered serious personal injuries, incurred medical bills, incurred lost wages, suffered great pain of body and mind, and has been prevented from engaging in his usual activities and business.

WHEREFORE, the Plaintiff, Scott A. Amaral, demands judgment against the Defendant, Jane Doe, in an amount sufficient to compensate him for his injuries, together with interest and costs and whatever other relief the Court deems meet and just. Said judgment will be in excess of the minimum jurisdictional amount.

COUNT IV
Negligence

Scott A. Amaral v. John Doe

33. The Plaintiff, Scott A. Amaral, repeats and incorporates by reference herein paragraphs one through thirty-two.

34. This is an action for negligence against John Doe for his failure to prevent and/or intervene in John Roe's attack on Scott Amaral.

35. As a direct and proximate result of John Doe's negligence, the Plaintiff, Scott A. Amaral, suffered serious personal injuries, incurred medical bills, incurred lost wages, suffered great pain of body and mind, and has been prevented from engaging in his usual activities and business.

WHEREFORE, the Plaintiff, Scott A. Amaral, demands judgment against the Defendant, John Doe, in an amount sufficient to compensate him for his injuries, together with interest and costs and whatever other relief the Court deems meet and just. Said judgment will be in excess of the minimum jurisdictional amount.

COUNT V

Assault

Scott A. Amaral v. John Roe

36. The Plaintiff, Scott A. Amaral, repeats and incorporates by reference herein paragraphs one through thirty-five.

37. This is an action against John Roe for his voluntary and intentional acts intended to put the Plaintiff, Scott A. Amaral, in apprehension of immediate physical harm, without the Plaintiff's consent, on September 8, 2023.

38. As a direct and proximate result of John Roe's intentional conduct on September 8, 2023, the Plaintiff, Scott A. Amaral, suffered serious personal injuries, incurred medical bills, incurred lost wages, suffered great pain of body and mind, and has been prevented from engaging in his usual activities and business.

WHEREFORE, the Plaintiff, Scott A. Amaral, demands judgment against the Defendant, John Roe, in an amount sufficient to compensate him for his injuries, together with interest and costs and whatever other relief the Court deems meet and just. Said judgment will be in excess of the minimum jurisdictional amount.

COUNT VI

Battery

Scott A. Amaral v. John Roe

39. The Plaintiff, Scott A. Amaral, repeats and incorporates by reference herein paragraphs one through thirty-eight.

40. This is an action against John Roe for his voluntary and intentional acts causing a harmful or offensive touching of the Plaintiff, Scott A. Amaral, without the Plaintiff's consent on September 8, 2023.

41. As a direct and proximate result of John Roe's intentional conduct on September 8, 2023, the Plaintiff, Scott A. Amaral, suffered serious personal injuries, incurred medical bills,

incurred lost wages, suffered great pain of body and mind, and has been prevented from engaging in his usual activities and business.

WHEREFORE, the Plaintiff, Scott A. Amaral, demands judgment against the Defendant, John Roe, in an amount sufficient to compensate him for his injuries, together with interest and costs and whatever other relief the Court deems meet and just. Said judgment will be in excess of the minimum jurisdictional amount.

Respectfully submitted,

The Plaintiff,
Scott A. Amaral,
By his attorneys,

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