

**COMMISSIONERS**  
SUSAN BITTER SMITH – Chairman  
BOB STUMP  
BOB BURNS  
DOUG LITTLE  
TOM FORESE



05527102  
JODI JERICH  
Executive Director

PATRICIA L. BARFIELD  
Director  
Corporations Division

**ARIZONA CORPORATION COMMISSION**

Date 05/11/2016

JNJ VENTURES LLC  
47801 N BLACK CANYON HWY  
NEW RIVER, AZ 85087

Dear Sir or Madam:

Enclosed is a copy of the following document(s) that were served upon the Arizona Corporation Commission on 05/10/2016 as agent for JNJ VENTURES LLC:

Case caption: DAWN FERNANDEZ, etal v. JNJ VENTURES, LLC etal,  
Case number: CV2016006170 Court: MARICOPA COUNTY, SUPERIOR COURT

- ☒ Summons
- ☒ Complaint
- ☐ Subpoena
- ☐ Subpoena Duces Tecum
- ☐ Default Judgment
- ☐ Judgment
- ☐ Writ of Garnishment
- ☐ Motion For Summary Judgment
- ☐ Motion for
- ☒ Other DEMAND FOR JURY TRIAL

Sincerely,

A handwritten signature in black ink, appearing to read "Lynda B. Griffin", written over a horizontal line.

Lynda B. Griffin  
Custodian of Records

Initials LA  
File number L-1790977-0



**COMMISSIONERS**  
SUSAN BITTER SMITH - Chairman  
BOB STUMP  
BOB BURNS  
DOUG LITTLE  
TOM FORESE



**ARIZONA CORPORATION COMMISSION**

JODI JERICH  
Executive Director  
  
PATRICIA L. BARFIELD  
Director  
Corporations Division

**CERTIFICATE OF MAILING**

The undersigned person certifies the following facts:

On **05/10/2016**, **LETICIA ALONZO**, an employee of the Arizona Corporation Commission ("ACC"), received on behalf of the ACC service of the following documents upon the ACC as agent for **JNJ VENTURES LLC**.

Case caption: **DAWN FERNANDEZ, etal v. JNJ VENTURES, LLC etal,**  
Case number: **CV2016006170**  
Court: **MARICOPA COUNTY, SUPERIOR COURT**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Summons                            | <input type="checkbox"/> Default Judgment    |
| <input checked="" type="checkbox"/> Complaint                          | <input type="checkbox"/> Judgment            |
| <input type="checkbox"/> Subpoena                                      | <input type="checkbox"/> Writ of Garnishment |
| <input type="checkbox"/> Subpoena Duces Tecum                          |  |
| <input type="checkbox"/> Motion For Summary Judgment                   |  |
| <input type="checkbox"/> Motion for                                    |  |
| <input checked="" type="checkbox"/> Other <b>DEMAND FOR JURY TRIAL</b> |  |

On **05/11/2016**, the undersigned person placed a copy of the above listed documents in the United States Mail, postage prepaid, addressed to the entity at its last known place of business address, as follows:

**JNJ VENTURES LLC**  
**47801 N BLACK CANYON HWY**  
**NEW RIVER, AZ 85087**

**OR**

The undersigned was unable to mail the above listed documents to

because that entity is not a registered corporation or limited liability company in the State of Arizona, and the Arizona Corporation Commission has no record of its known place of business.

I declare and certify under penalty of perjury that the foregoing is true and correct.

Printed name: **LETICIA ALONZO**

Date: **05/11/2016**

Signature: \_\_\_\_\_

A handwritten signature in black ink, appearing to read "L. Alonzo", written over a horizontal line.



1 Mark S. O'Connor (011029)  
Matthew P. MacLeod (022573)  
2 Gallagher & Kennedy, P.A.  
2575 East Camelback Road  
3 Phoenix, Arizona 85016-9225  
Phone: 602-530-8000  
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mark.oconnor@gknet.com  
5 matt.macleod@gknet.com  
Attorneys for Plaintiff

6  
7 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
8  
9 IN AND FOR THE COUNTY OF MARICOPA

10 DAWN FERNANDEZ, surviving spouse of  
ROMAN GABRIEL FERNANDEZ, SR.,  
(Deceased), for herself and on behalf of  
11 ROMAN FERNANDEZ, JR., SERGIO  
FERNANDEZ, and ADRIAN FERNANDEZ,  
12 surviving children of ROMAN GABRIEL  
FERNANDEZ, SR., (Deceased), and PETER  
FERNANDEZ and OLIVIA FERNANDEZ,  
13 surviving parents of ROMAN GABRIEL  
FERNANDEZ, SR., (Deceased),

14 Plaintiff,

15 v.

16 JNJ VENTURES, LLC, an Arizona limited  
17 liability company d/b/a ROADRUNNER  
RESTAURANT & SALOON; STARR  
18 PROPERTY HOLDINGS, LLC, an Arizona  
limited liability company d/b/a  
19 ROADRUNNER RESTAURANT AND  
20 SALOON; JOHN DOES and JANE DOES I-  
X; BLACK AND WHITE CORPORATIONS I-  
21 X, and ABC BUSINESS ENTITIES I-X,

22 Defendants.

No.

CV 2016-006170

SUMMONS

*Approved for filing by the court clerk on 01/11/2016 at 10:00 AM. The court clerk is not responsible for the accuracy of the information provided in this document.*



1  
2 **THE STATE OF ARIZONA TO:**

**JNJ Ventures, LLC.,**

**An Arizona limited liability company  
Db a Roadrunner Restaurant & Saloon  
Stat Agent: Jeff Riggs  
47801 N. Black Canyon Hwy.  
New River, Arizona 85087**

3  
4  
5  
6 YOU ARE HEREBY SUMMONED and required to appear and defend, within the  
7 time applicable, in this action in this Court. If served within Arizona, you shall appear  
8 and defend within 20 days after the service of the Summons and Complaint upon you,  
9 exclusive of the day of service. If served out of the State of Arizona -- whether by direct  
10 service, by registered or certified mail, or by publication -- you shall appear and defend  
11 within 30 days after the service of the Summons and Complaint upon you is complete,  
12 exclusive of the day of service. Where process is served upon the Arizona Director of  
13 Insurance as an insurer's attorney to receive service of legal process against it in this  
14 state, the insurer shall not be required to appear, answer or plead until expiration of 40  
15 days after date of such service upon the Director. Service by registered or certified mail  
16 without the State of Arizona is complete 30 days after the date of filing the receipt and  
17 affidavit of service with the Court. Service by publication is complete 30 days after the  
18 date of first publication. Direct service is complete when made. Service upon the  
19 Arizona Motor Vehicle Superintendent is complete 30 days after filing the Affidavit of  
20 Compliance and return receipt or Officer's Return. Rule 4, Ariz. R. Civ. Proc.,  
21 A.R.S. §§ 20-222, 28-502, 28-503.

22  
23 REQUESTS FOR REASONABLE accommodation for persons with disabilities  
24 must be made to the division assigned to the case by the party needing accommodation or  
25 his/her counsel at least three (3) judicial days in advance of a scheduled proceeding.  
26 Requests for an interpreter for persons with limited English proficiency must be made to  
27 the division assigned to the case by the party needing the interpreter and/or translator or  
28 his/her counsel at least ten (10) judicial days in advance of a scheduled court proceeding.

29  
30 YOU ARE HEREBY NOTIFIED that in case of your failure to appear and defend  
31 within the time applicable, judgment by default may be rendered against you for the relief  
32 demanded in the Complaint.

33  
34 YOU ARE CAUTIONED that in order to appear and defend, you must file an  
35 Answer or proper response in writing with the Clerk of this Court, accompanied by the  
36 necessary filing fee, within the time required, and you are required to serve a copy of any  
37 Answer or response upon the plaintiff's attorney. Rules 5 and 10(d), Ariz. R. Civ. Proc.,  
38 A.R.S. § 12-311.





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SIGNED AND SEALED this date: \_\_\_\_\_.

CLERK OF THE SUPERIOR COURT

By: \_\_\_\_\_  
Deputy Clerk



**COPY**  
MAY - 5 2016  
MICHAEL K. JEANES, CLERK  
K. WHITSON  
DEPUTY CLERK

5298603v1/26866-0001



1 Mark S. O'Connor (011029)  
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5 matt.macleod@gknet.com  
Attorneys for Plaintiff

**COPY**

MAY - 5 2016



MICHAEL K. JEANES, CLERK  
K. WHITSON  
DEPUTY CLERK

6 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

7 IN AND FOR THE COUNTY OF MARICOPA

8 DAWN FERNANDEZ, surviving spouse of  
9 ROMAN GABRIEL FERNANDEZ, SR.,  
(Deceased), for herself and on behalf of  
10 ROMAN FERNANDEZ, JR., SERGIO  
FERNANDEZ, and ADRIAN FERNANDEZ,  
11 surviving children of ROMAN GABRIEL  
FERNANDEZ, SR., (Deceased), and PETER  
12 FERNANDEZ and OLIVIA FERNANDEZ,  
surviving parents of ROMAN GABRIEL  
13 FERNANDEZ, SR., (Deceased),

14 Plaintiff,

15 v.

16 JNJ VENTURES, LLC, an Arizona limited  
liability company d/b/a ROADRUNNER  
17 RESTAURANT & SALOON; STARR  
PROPERTY HOLDINGS, LLC, an Arizona  
18 limited liability company d/b/a  
ROADRUNNER RESTAURANT AND  
19 SALOON; JOHN DOES and JANE DOES I-  
X; BLACK AND WHITE CORPORATIONS I-  
20 X, and ABC BUSINESS ENTITIES I-X,

21 Defendants.  
22

No.

CV 2016-006170

**COMPLAINT**

(Tort-Wrongful Death; Negligence,  
Gross Negligence; Dram Shop  
Liability)



1 Plaintiff, for her Complaint against Defendants, hereby alleges as follows:

2 **PARTIES, JURISDICTION AND VENUE**

3 1. Plaintiff Dawn Fernandez is the surviving spouse of Roman G. Fernandez,  
4 Sr. deceased, and was at all times material hereto a resident of Maricopa County, in the  
5 State of Arizona. She brings this wrongful death action for herself and on behalf of all  
6 wrongful death statutory beneficiaries, including Roman G. Fernandez, Sr.'s surviving  
7 children, Roman Fernandez, Jr., Sergio Fernandez, and Adrian Fernandez, and surviving  
8 parents, Peter Fernandez and Olivia Fernandez.

9 2. Defendant JNJ Ventures, LLC (hereinafter "Defendant JNJ") is an Arizona  
10 limited liability company, and is and was at all times relevant hereto, an owner and  
11 operator of a restaurant/ bar doing business as Roadrunner Restaurant and Saloon, located  
12 at 47801 N. Black Canyon Highway, New River, Arizona (hereinafter "The  
13 Roadrunner").

14 3. Defendant JNJ was operating in Maricopa County as a spirituous liquor  
15 licensee pursuant to Arizona Department of Liquor License number 06070118.

16 4. Defendant Starr Property Holdings, LLC (hereinafter "Defendant Starr  
17 Property") is an Arizona limited liability company, and is and was at all times relevant  
18 hereto an owner of the property doing business as The Roadrunner.

19 5. Defendants John and Jane Does I-X, Black and White Corporations, ABC  
20 Business Entities I-X are persons, corporations, companies, partnerships or other entities  
21 which are believed to have participated in the wrongs alleged in this Complaint. Leave to  
22 amend will be sought when the true identities of these defendants become known.



1           6.     Each of the Defendants was the agent and/or employee of the other  
2 Defendant and any and all actions by any of the Defendants were in the course and scope  
3 of their employment and/or agency with the other Defendant.

4           7.     All Defendants herein have individually and collectively caused events to  
5 occur in the State of Arizona in the County of Maricopa.

6           8.     Plaintiff and the other statutory beneficiaries have incurred damages in an  
7 amount exceeding the minimum jurisdictional limits of this Court.

8           9.     Jurisdiction and venue are proper in Maricopa County, Arizona.

9                               **FACTUAL BACKGROUND**

10          10.    On or about July 25, 2015 at approximately 1:00 a.m., Roman G.  
11 Fernandez, Sr. was killed on the premises of The Roadrunner.

12          11.    Upon information and belief, Roman G. Fernandez, Sr. was killed by an  
13 agent/employee/servant of Defendant JNJ and/or agent/employee/servant of Defendant  
14 Starr Property, or a patron/customer/invitee of Defendant JNJ and/or Defendant Starr  
15 Property.

16          12.    Roman G. Fernandez, Sr., Roman G. Fernandez, Jr., and Chanel Fernandez  
17 were patrons of The Roadrunner.

18          13.    Upon information and belief, on at least one occasion, several patrons  
19 and/or employees and/or management made derogatory comments and/or threats to the  
20 Fernandez party.

21          14.    Defendant JNJ and/or Defendant Starr were alerted to this behavior, but  
22 upon information and belief, took no meaningful action to remedy the situation.





1           15.    Upon information and belief, soon after these threats/comments were made,  
2 members of the Fernandez party, including Roman G. Fernandez, Sr., were assaulted by  
3 The Roadrunner patrons and/or employees and/or management.

4           16.    Defendants failed to take the appropriate measures to ensure the safety of  
5 its patrons, such as the Fernandez party, specifically Roman G. Fernandez, Sr.

6           17.    Upon information and belief, Roadrunner patrons and/or employees and/or  
7 management continued their assault on the Fernandez party, specifically Roman G.  
8 Fernandez, Sr.

9           18.    Upon information and belief, the police were never called during the  
10 attacks by any employee and/or management of Defendants.

11           19.    Upon information and belief, Roman G. Fernandez, Sr. was stabbed by The  
12 Roadrunner patrons and/or employees and/or management, and was left to die in the  
13 parking lot.

14           20.    Defendant JNJ and/or Defendant Starr Property breached their duties to  
15 keep their patrons safe, specifically Roman G. Fernandez, Sr.

16           21.    Plaintiff and the other statutory beneficiaries have sustained physical and  
17 emotional injuries and general and special damages in an amount according to proof at  
18 trial.

19  
20                           **COUNT I**

21                   **(NEGLIGENCE AND GROSS NEGLIGENCE- ALL DEFENDANTS)**

22           22.    Plaintiff incorporates by reference all previous allegations in this  
Complaint.



1           23.    At all relevant times, Defendants were vicariously liable for its  
2 agents/employees' acts and omissions.

3           24.    At all times material hereto, Defendants John Does were acting on behalf of  
4 their marital community, and were agents for and were acting in the course and scope of  
5 their employment and/or agency with Defendant JNJ and/or Defendant Starr Property.

6           25.    Defendants had a duty to maintain the premises in a condition which was  
7 safe for patrons and business invitees.

8           26.    Defendants' duties included the duty to protect patrons and invitees from  
9 harmful acts and violent conduct and/or assault by employees, patrons, and/or invitees.

10          27.    Defendants John Does, while acting as an agent for and in the course and  
11 scope of their employment and/or agency with Defendant JNJ and/or Defendant Starr  
12 property, were negligent, careless, and reckless in causing the injuries and death of  
13 Roman G. Fernandez, Sr.

14          28.    As a result of Defendants John Does' negligence and gross negligence,  
15 while acting as an agent for, and in the course and scope of their employment and/or  
16 agency with Defendants, Roman G. Fernandez, Sr. was killed.

17          29.    Plaintiff Dawn Fernandez and the other statutory beneficiaries forever lost  
18 the love, affection, society, companionship, care, support and services and consortium of  
19 and with their spouse, child and father, Roman G. Fernandez, Sr.

20          30.    As a direct and proximate result of the Defendants' negligence and gross  
21 negligence, Plaintiff Dawn Fernandez and the other statutory beneficiaries have sustained  
22



1 emotional and psychological injuries, some of which may be permanent in nature, all to  
2 their general damage in a sum according to proof.

3 31. As a direct and proximate result of the Defendants' negligence and gross  
4 negligence, Plaintiff and the other statutory beneficiaries have lost the income and  
5 services provided by Roman G. Fernandez, Sr.

6 32. As a direct and proximate result of Defendants' negligence and gross  
7 negligence, Plaintiff Dawn Fernandez and the other statutory beneficiaries have incurred  
8 funeral and burial expenses and other special damages.

9 33. Defendants' acts and omissions also constitute gross negligence in that they  
10 knew, or should have known, that his conduct created an unreasonable risk that patrons  
11 such as Roman G. Fernandez, Sr. would be seriously injured or killed. Defendant JNJ  
12 and/or Starr Property consciously disregarded this known risk, causing the death of  
13 Roman G. Fernandez, Sr., entitling Plaintiffs to an award of punitive damages to punish  
14 Defendants JNJ and/or Defendant Starr Property and deter such conduct in the future.

15  
16 **COUNT II**

17 **NEGLIGENCE/DRAM SHOP LIABILITY/NEGLIGENCE PER SE-**

18 **(ALL DEFENDANTS)**

19 34. Plaintiff hereby incorporates all preceding paragraphs as though fully set  
20 forth herein.

21 35. Defendants furnished and/or served multiple spirituous liquor beverages to  
22 John Does for their consumption.



1           36.    Upon information and belief, during and after being served numerous  
2 alcoholic beverages at The Roadrunner, John Does demonstrated numerous outward  
3 signs of intoxication.

4           37.    Despite demonstrating obvious signs of intoxication, Defendants failed to  
5 stop serving John Does and/or remove them from their establishment, but instead  
6 continued over-serving them alcoholic beverages.

7           38.    Employees of Defendants were aware and/or could presume that there was  
8 a risk that John Does, who had been consuming alcoholic beverages and showing signs of  
9 obvious intoxication, could endanger and/or injure patrons such as Roman G. Fernandez,  
10 Sr.

11           39.    The Roadrunner violated Arizona common law and statutory law including,  
12 but not limited to, A.R.S. §§ 4-244 and 4-311, and the regulations of the Arizona  
13 Department of Liquor Licenses and Control.

14           40.    The above-mentioned statutes and regulations were enacted for the safety  
15 of the public and patrons such as Roman G. Fernandez, Sr.

16           41.    Defendants' violation of the above-mentioned statutes and regulations  
17 constitutes negligence *per se*.

18           42.    Defendants owed a duty to its patrons, such as Roman G. Fernandez, Sr. to  
19 exercise reasonable care and vigilance for their protection from foreseeable and  
20 unreasonable risks of injury and/or death including, but not limited to, the risks created  
21 by selling, dispensing, or otherwise furnishing spirituous liquor to and/or for the  
22 consumption of obviously intoxicated patrons.





1           43. Defendants breached these duties.

2           44. As a result of Defendants' negligence, Roman G. Fernandez, Sr. died and  
3 Plaintiff and the other statutory beneficiaries have sustained the damages described  
4 above.

5           45. Plaintiff is informed and believes that Defendants' actions and omissions  
6 are part of a plan, scheme, pattern and/or practice of: (a) negligently serving, selling,  
7 providing and/or furnishing spirituous liquor beverages to obviously intoxicated persons  
8 under circumstances where Defendants knew or should have known created a foreseeable  
9 and unreasonable risk of severe harm and injury; (b) unlawfully serving, selling,  
10 providing and/or otherwise furnishing spirituous liquors to obviously intoxicated persons;  
11 (c) unlawfully allowing and permitting persons to remain on or about the premises after  
12 The Roadrunner knew or should have known that such persons were obviously  
13 intoxicated; (d) encouraging and promoting excessive consumption of spirituous liquor  
14 by obviously intoxicated persons; (e) failing to implement, maintain and adhere to  
15 reasonable and prudent policies, practices and procedures to prevent the sale of spirituous  
16 liquor for consumption by obviously intoxicated patrons and to properly train and  
17 supervise employees and/or agents in those regards; and (f) failing to exercise reasonable  
18 and prudent care, control and vigilance to protect such patrons and the public from  
19 significant, foreseeable risks stemming from excessive consumption of alcohol.  
20

21           46. Upon information and belief, Defendants are more interested in monetary  
22 gain and selling spirituous liquor beverages than in protecting the safety and well-being  
of its patrons and the public at large.



1           47. Defendants' preference for monetary gain over public safety constitutes  
2 willful conduct done in conscious disregard for the safety of the public at large.

3           48. Plaintiff Dawn Fernandez and the other statutory beneficiaries forever lost  
4 the love, affection, society, companionship, care, support and services and consortium of  
5 and with their spouse, child and father, Roman G. Fernandez, Sr.

6           49. As a direct and proximate result of Defendants' negligence, Plaintiff Dawn  
7 Fernandez and the other statutory beneficiaries have sustained emotional and  
8 psychological injuries, some of which may be permanent in nature, all to their general  
9 damage in a sum according to proof.

10           50. As a direct and proximate result of Defendants' negligence, Plaintiff and  
11 the other statutory beneficiaries have lost the income and services provided by Roman G.  
12 Fernandez, Sr.

13           51. As a direct and proximate result of Defendants' negligence, Plaintiff Dawn  
14 Fernandez and the other statutory beneficiaries have incurred funeral and burial expenses  
15 and other special damages.

16           52. Defendants' knew, or should have known, that his conduct created an  
17 unreasonable risk that Roman G. Fernandez, Sr. would be killed. Despite this  
18 knowledge, Defendants consciously disregarded this known risk causing the injuries and  
19 damages described below and entitling Plaintiff to an award of punitive damages to  
20 punish Defendants and deter such conduct in the future.

21 ...  
22



**COUNT III**

**STATUTORY DRAM SHOP- ALL DEFENDANTS**

53. Plaintiff hereby incorporates all preceding paragraphs as though fully set forth herein.

54. At all times pertinent hereto, Defendants, holding Arizona Liquor License No. 06070118, sold spirituous liquor at its establishment.

55. The Roadrunner, therefore, was a "licensee" under A.R.S. §§ 4-101(19) and 4-311.

56. On July 24, 2015, in its capacity as a "licensee," Defendants and its employees and/or agents furnished spirituous liquor to or for consumption by John Does, including times when they were obviously intoxicated.

57. John Does consumed the spirituous liquor inside the premises of Defendants.

58. As a result of Defendants over-service of John Does, Plaintiff and the other statutory beneficiaries have sustained the injuries and damages described above.

59. Defendants' knew, or should have known, that his conduct created an unreasonable risk that Roman G. Fernandez, Sr. would be killed. Despite this knowledge, Defendants consciously disregarded this known risk causing the injuries and damages described below and entitling Plaintiffs to an award of punitive damages to punish Defendants and deter such conduct in the future.

**DEMAND FOR JURY TRIAL**

Plaintiff requests a trial by jury in this matter.



**PRAYER**

WHEREFORE, Plaintiff prays for judgment against the Defendants as follows:

- A. For general damages and losses being incurred now and in the future in amount reasonable and proper;
- B. For loss of care, companionship, advice, friendship, love and consortium of and with Roman G. Fernandez, Sr.;
- C. For funeral and burial expenses;
- D. For loss of past and future income resulting from the death of Roman Fernandez, Sr.;
- E. For punitive and exemplary damages against all Defendants;
- F. For all Plaintiff's costs incurred herein;
- G. For pre- and post-judgment interest as allowed by law; and
- H. For such other and future relief as this Court deems just and proper.

DATED this 4<sup>th</sup> day of May, 2016.

GALLAGHER & KENNEDY, P.A.

By: 

Mark S. O'Connor

Matthew P. MacLeod

2575 East Camelback Road

Phoenix, Arizona 85016-9225

Attorneys for Plaintiff





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Phone: 602-530-8000  
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mark.oconnor@gknet.com  
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Attorneys for Plaintiff

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7 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

8 IN AND FOR THE COUNTY OF MARICOPA

9 DAWN FERNANDEZ, surviving spouse of  
ROMAN GABRIEL FERNANDEZ, SR.,  
(Deceased), for herself and on behalf of  
10 ROMAN FERNANDEZ, JR., SERGIO  
FERNANDEZ, and ADRIAN FERNANDEZ,  
11 surviving children of ROMAN GABRIEL  
FERNANDEZ, SR., (Deceased), and PETER  
12 FERNANDEZ and OLIVIA FERNANDEZ,  
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13 FERNANDEZ, SR., (Deceased),

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19 SALOON; JOHN DOES and JANE DOES I-  
20 X; BLACK AND WHITE CORPORATIONS I-  
21 X, and ABC BUSINESS ENTITIES I-X,

22 Defendants.

**COPY**



MAY - 5 2016

MICHAEL K. JEANES, CLERK  
K. WHITSON  
DEPUTY CLERK

No. CV 2016-006170

**DEMAND FOR JURY TRIAL**



1  
2 Plaintiff, Dawn Fernandez, surviving spouse of Roman Gabriel Fernandez, Sr.,  
3 (Deceased), for herself and on behalf of Roman Fernandez, Jr., Sergio Fernandez, and  
4 Adrian Fernandez, surviving children of Roman Gabriel Fernandez, Sr., (Deceased), and  
5 Peter Fernandez and Olivia Fernandez, surviving parents of Roman Gabriel Fernandez,  
6 Sr., (Deceased), by and through counsel undersigned, and pursuant to Rule 38, Ariz. R.  
7 C. P., hereby demand a trial by jury.

8 DATED this 4<sup>th</sup> day of May, 2016.

9 GALLAGHER & KENNEDY, P.A.

10 By:   
11

12 Mark S. O'Connor

13 Matthew P. MacLeod

14 2575 East Camelback Road

15 Phoenix, Arizona 85016-9225

16 Attorneys for Plaintiff

17  
18  
19  
20  
21  
22  
5298589v1/26866-0001



**COPY**

MAY - 5 2016



MICHAEL K. JEANES, CLERK  
K. WHITSON  
DEPUTY CLERK

1 Mark S. O'Connor (011029)  
Matthew P. MacLeod (022573)  
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mark.oconnor@gknet.com  
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Attorneys for Plaintiff

6 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

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9 ROMAN GABRIEL FERNANDEZ, SR.,  
(Deceased), for herself and on behalf of  
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FERNANDEZ, and ADRIAN FERNANDEZ,  
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X; BLACK AND WHITE CORPORATIONS I-  
20 X, and ABC BUSINESS ENTITIES I-X,

21 Defendants.  
22

No.

CV 2016-006170

**CERTIFICATE REGARDING NO  
COMPULSORY ARBITRATION**



1 The undersigned certifies that he knows the dollar limits and any other limitations  
2 set forth by the Local Rules of practice for this Court, and further certifies that this case is  
3 NOT subject to compulsory arbitration as provided by Rules 72 through 77 of the  
4 Arizona Rules of Civil Procedure.

5 DATED this 14<sup>th</sup> day of May, 2016.

6 GALLAGHER & KENNEDY, P.A.

7  
8 By: 

Mark S. O'Connor

Matthew P. MacLeod

2575 East Camelback Road

Phoenix, Arizona 85016-9225

Attorneys for Plaintiff

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Keith Blanchard  
P.O. Box 4552  
Scottsdale, Arizona 85261  
602-488-9762

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

DAWN FERNANDEZ, a surviving spouse of ROMAN  
GABRIEL FERNANDEZ, SR., (Deceased) et al,

Plaintiffs,

Case No.: CV2016-006170

vs.

Certificate of Non-service

JNJ VENTURES, LLC an Arizona limited liability  
company, d/b/a ROADRUNNER RESTAURANT  
& SALOON, et al,

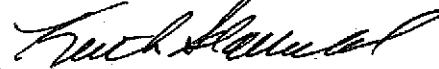
Defendants.

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Keith Blanchard, being duly sworn states: That I am qualified to serve process in this cause, having been so appointed by the Superior Court in Maricopa County. I swear under the penalty of perjury that the following is true and accurate. I received the following documents in this action Summons and Complaint Certificate of No Compulsory Arbitration and Demand for a Jury Trial from Matthew P. MacLeod (022573) of GALLAGHER & KENNEDY, P.A., on May 5, 2016, and in each instance I personally attempted to serve a copy of each document listed above on those named below in the manner and at the time and place shown:

Attempted service upon JNJ Ventures, LLC, an Arizona limited liability company by attempting service through its Statutory Agent, Jeff Riggs at 47801 N. Black Canyon Hwy, New River, AZ 85087 on May 7, 2016 at 2:00 p.m., May 8, 2016 at 9:00 a.m. and May 9, 2016 at 6:35 p.m. Pursuant to the bartender on duty, Mr. Riggs rarely comes into the establishment.

Service was attempted on May 9, 2016 at 9:10 a.m. at 515 E. Carefree Hwy., #1191, Phoenix, AZ 85085. This address is Desert Mail Box.

I declare under penalty of perjury that the foregoing is true and correct and was executed on this date: May 10, 2016.



Keith Blanchard, Affiant

\$ 16.00	Attempted service
\$ 86.40 (36)	Attempted mileage
\$ 72.00 (30)	Attempted mileage
\$ 10.00	Processing Fee
\$ 184.40	Total



CORPORATIONS DIVISION  
RECORDS SECTION  
1300 West Washington  
Phoenix, Arizona 85007-2929

User Id: LALONZO  
Invoice No.: 5061123

Check Batch:  
Invoice Date: 05/10/2016  
Date Received: 05/10/2016  
Customer No.:

ATTN:  
(CASH CUSTOMER)

Quantity	Description	Amount
1	SERVICE OF PROCESS L-1790977-0 JNJ VENTURES LLC	\$25.00
Total Documents: \$		25.00
	CHECK 997	\$25.00
PAYMENT		
Balance Due: \$		0.00



Corporate Inquiry

05/10/2016

State of Arizona Public Access System

3:40 PM

File Number: L-1790977-0

Corp. Name: JNJ VENTURES LLC

Domestic Address

47801 N BLACK CANYON HWY

NEW RIVER, AZ 85087

Second Address

Agent: JEFF RIGGS

Status: APPOINTED 09/21/2012

Mailing Address:

515 E CAREFREE HWY #1191

PHOENIX, AZ 85085

Agent Last Updated: 09/15/2015

Business Type:

Domicile: ARIZONA

County: MARICOPA

Corporation Type: DOMESTIC L.L.C.

Life Period: PERPETUAL

Incorporation Date: 09/21/2012

Approval Date: 09/26/2012

Last A/R Received: /

Date A/R Entered:

Next Report Due:

*Keith Blanchard*

