

# First Lawsuit Filed Against Uvalde School District, Law Enforcement, and Gun Makers for School Shooting

*Attorneys from Baum Hedlund Aristei & Goldman filed the first federal lawsuit in response to the Robb Elementary School shooting in Uvalde, Texas.*

DEL RIO, TEXAS, UNITED STATES,  
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EINPresswire.com/ -- Baum Hedlund Aristei & Goldman filed a lawsuit against the Uvalde Consolidated Independent School District (UCISD), law enforcement agencies, gun manufacturers, and several other defendants for their roles in the [Robb Elementary School shooting in Uvalde, Texas](#).

The complaint seeks damages on behalf of three children, including one who was wounded in the attack, citing significant failures against the school district and law enforcement agencies, as well as negligence, recklessness, and nuisance allegations against the gun entities.

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Numerous failures allowed a deranged young man to freely enter school grounds and use weapons of war to murder kids and teachers while hundreds of law enforcement officers stood back and did nothing.”

*Stephanie B. Sherman, Texas-California Trial Lawyer*

Stephanie B. Sherman and Monique Alarcon from Baum Hedlund and Shawn C. Brown from the Law Office of Shawn C. Brown filed the complaint in the Western District of Texas, Del Rio Division (Case No. 2:22-cv-00048). This is the first federal lawsuit filed in response to the Robb Elementary School shooting.

On May 24, 2022, an 18-year-old Uvalde man with a history of mental disturbance and domestic issues used legally purchased weapons, ammunition, high-capacity magazines, and a Hellfire trigger system to commit one of

the deadliest school shootings in history. Nineteen children and two teachers were murdered, and countless others sustained injuries while school officials and hundreds of law enforcement



Law Enforcement Officials at Robb Elementary School in Uvalde, TX

personnel stood by failing to act.

Due to the conduct of the defendants and the deliberate choices of the gun defendants to directly market lethal weapons to young untrained civilians, the school shooter assembled a military-grade assault weapon with 30-round magazines and entered a Uvalde elementary school unabated where he had free range to shoot, terrorize, and kill teachers and children for over an hour, the complaint alleges.



Baum Hedlund Trial Lawyers

The Plaintiffs:

- Corina Camacho: She is suing individually and on behalf her 10-year-old son (G.M., a minor). G.M. was in Room 112 at Robb Elementary when the gunman opened fire, killing the boy's two teachers and his best friend. The boy was wounded in the shooting.
- Tanisha Rodriguez: She is suing individually and on behalf of her 9-year-old daughter (G.R., a minor). G.R. was playing on the playground when the gunman fired shots toward the school. She ran into a classroom and hid with other students as the shooting continued all around them.
- Selena Sanchez: She is suing on behalf of her 9-year-old son (D.J., a minor). D.J. was on his way to the nurse's office from the gym when he saw the gunman shooting toward classrooms. He hid in a nearby class with other students as the shooting continued all around them.

The Defendants:

- The Uvalde Consolidated Independent School District: Robb Elementary is one of nine schools within the district, which has its own police department (UCISD PD). The complaint alleges the district is liable under the Fourteenth Amendment for using its authority under state law to create a dangerous environment for the Plaintiffs
- Pedro "Pete" Arredondo: Chief Arredondo was Chief of Police for the School District (UCISD PD). The complaint alleges Chief Arredondo, as official policymaker for the UCISD PD, failed to take command, deliberately chose to disregard his own written policy on active shooter tactics, and acted with deliberate indifference to the rights of the plaintiffs.
- The City of Uvalde: The City is charged with the administration and operation of the Uvalde Police Department. The complaint alleges Uvalde and its police department's policies were moving forces in causing constitutional violations to the plaintiffs.
- Mariano Pargas: Lt. Pargas was the acting Chief of the Uvalde Police Department during the massacre at Robb Elementary. The lawsuit alleges Pargas failed to take command and execute active shooter training protocols.
- Mandy Gutierrez: Gutierrez was the Principal at Robb Elementary School. The lawsuit alleges Gutierrez failed to alert teachers to the approaching gunman using the available intercom system and failed to initiate a school-wide lockdown.
- Daniel Defense, LLC: Daniel Defense manufactures, markets, and sells guns, including AR-15

style semi-automatic rifles, and accessories for use by untrained civilians and young adults. The gun manufacturer directly sold the Uvalde shooter a DDM4 V7 days after his 18th birthday. The complaint alleges Daniel Defense's business practices, including aggressive marketing to young adult males, are reckless, deliberate, intentional, and needlessly endanger American children.

- Firequest International, Inc.: Designed, manufactured, marketed, and sold an accessory trigger system, Hellfire Gen 2, that is used to convert a semiautomatic rifle into the equivalent of a machine gun. The complaint alleges Firequest is in the business of selling accessory trigger systems like the Hellfire Gen 2 trigger system—which is nearly identical to illegal bump stocks—to untrained civilians, young adults, and minors in Uvalde, Texas.
- Oasis Outback, LLC: A firearms dealer that served as the local gun dealer for Daniel Defense to complete the sale of guns and ammunition to the gunman. The complaint alleges the gun dealer sold the shooter military grade guns and ammunition knowing he was suspicious and likely dangerous.
- Motorola Solutions, Inc.: Designed and/or sold the radio communication devices that some of the first responders used during the Uvalde school shooting. The complaint alleges Motorola's systems and devices failed when law enforcement officials were attempting to communicate with each other and with dispatch during the Uvalde shooting.
- Schneider Electric USA, Inc. ("Schneider"): Manufactured and installed the door locking mechanisms for outside and classroom doors at Robb Elementary. The gunman allegedly walked onto campus through an unlocked door and entered a classroom through a door with a broken lock.

#### Causes of Action:

- Violation of the Fourteenth Amendment Right to Due Process of Law (Against Uvalde Consolidated Independent School District, The City of Uvalde, Chief Pedro Arredondo, Lt. Mariano Pargas, and Principal Mandy Gutiérrez)
- Negligence (Against All Defendants)
- Negligent Entrustment (Against Daniel Defense, Firequest International, and Oasis Outback)
- Intentional Infliction of Emotional Distress (Against All Defendants)
- Products Liability – Failure to Warn (Against Motorola and Schneider Electric)
- Products Liability – Manufacturing Defect (Against Motorola and Schneider Electric)
- Products Liability – Marketing Defect (Against Daniel Defense, Firequest International, and Oasis Outback)
- Nuisance (Against Daniel Defense, Firequest International, and Oasis Outback)
- Punitive Damages (Against All Defendants Except Uvalde Consolidated Independent School District and The City of Uvalde)

Texas attorney Stephanie Sherman, a Baum Hedlund shareholder and lead attorney on this case, says the families she represents are seeking justice and accountability for the "cascade of glaring failures that led a deranged young man to freely enter school grounds and use weapons of war to murder kids and teachers while hundreds of law enforcement officers stood back and did nothing."

“The horrors of May 24, 2022 were only possible because so many in positions of power were negligent, careless, and reckless,” Sherman says. “It is beyond shameful that Daniel Defense deliberately markets military-grade weapons to untrained civilians and young adult males, a demographic responsible for the most mass shootings. This is a company that chooses to stay ignorant of the harm they cause communities like Uvalde so they can continue to recklessly market their products and make millions. Our clients and the Uvalde community demand accountability for their complete disregard of human life.”

“These kids just came back to school, and we are already hearing that many of them are scared for their lives,” says attorney Monique Alarcon. “It’s clear that this unspeakable trauma will be with them for a long time, perhaps for the rest of their lives. This case is about ensuring that they have access to the care and resources they need.”

### Allegations Against UCISD

According to the complaint, UCISD and its leaders, policymakers, and law enforcement did not prepare its schools, staff, and police department for a deadly school shooting. A Texas State House Committee report in August found the school district’s culture of complacency weakened several safeguards that could have slowed an intruder “long enough to receive alerts, hide children, and lock doors.” Instead, UCISD’s failures—including leaving doors unlocked or wedged open, not addressing mechanical issues with classroom doors, and other issues—helped the gunman easily access the school and its classrooms, the complaint alleges.

UCISD’s actions demonstrate “a culture of noncompliance with safety protocols, state-mandated school shooter training, disregard for school alerts, and deliberate indifference to the threat of criminal trespassers and school shooters leaving the children and teachers vulnerable to attack,” the lawsuit alleges.

According to the complaint, Chief Arredondo bizarrely told the Texas State House Committee that he never thought he was the on-scene commander despite the clear written policy, he implemented, directing that he was the on-scene commander.

The lawsuit further alleges that Principal Gutierrez allowed staff to leave classroom doors unlocked or propped open for the convenience of teachers and staff who did not have keys. Principal Gutierrez was also aware of broken security doors but failed to report the issue to the custodian and ensure repair, the complaint alleges.

According to the complaint, UCISD and UCISD PD:

- Created a Danger to Plaintiffs in Their Custody
- Had a Policy, Practice, and Custom of Not Complying with its Own Security Procedures
- Had a Policy, Practice, and Custom of Not Repairing Broken Security Doors
- Failed to Have Adequate Alert Systems
- Had a Policy, Practice and Custom of Not Complying with State-Mandated Active Shooter Protocol Training

- Had Constitutionally Inadequate Hiring and Supervision Policies and Procedures

#### Allegations Against the City of Uvalde

The Uvalde Police Department “displayed indifference to the requirements of their position as peace officers and as protectors of students and residents of Uvalde,” the complaint states. Instead of following protocols developed after the 1999 Columbine High School shooting, wherein police officers are to immediately confront active shooters, law enforcement officers at Robb Elementary retreated after coming under fire and then waited for backup, per the complaint.

The Texas State House Committee report also noted law enforcement failures stemmed from an absence of leadership and effective communication. According to the complaint, the City of Uvalde and its police department did not follow state-mandated active shooter training protocols. The lawsuit further alleges individual liability of Lt. Pargas for failure to take command and execute active shooter training protocols

#### Allegations Against Gun Defendants

The lawsuit alleges that Daniel Defense, Firequest International, and Oasis Outback’s negligent, intentional, and reckless marketing and sale of AR-15 style rifles to young adults and civilians in Uvalde, Texas created a nuisance in violation of Texas law, which caused the plaintiffs reasonable fear, apprehension, trauma, injury, and terror in the peaceful use and enjoyment of their homes and property.

According to the complaint, the gun defendants cannot abate any responsibility for this massacre and hide behind the federal law, the Protection of Lawful Commerce in Arms Act (PLCAA). The complaint alleges PLCAA is unconstitutional, in violation of the Tenth Amendment. But even assuming PLCAA is constitutional and applies, “PLCAA allows narrow protection from some claims, while expressly permitting other claims based upon the unlawful or negligent actions of the gun dealer or manufacturer, or violation of a state or federal statute applicable to firearms,” the complaint states. The complaint alleges PLCAA violations for negligent entrustment against Oasis Outback, which was “aware that the gunman was suspicious and dangerous.” Per the complaint, despite the gunman’s young age, inexperience, appearance, display of dangerous characteristics, and meeting the criteria of a young adult school shooter, Oasis Outback entrusted and sold the AR-15 rifles and ammunition to him just days after his 18th birthday.

The gun defendants’ “reckless and outrageous practices” put the plaintiffs at risk of terror, fear, apprehension, injury, and loss of life with full knowledge that their practices put their profits over the safety and interests of school children. The gun defendants’ conduct was “extreme, outrageous, atrocious, and intolerable in a civilized community,” the complaint alleges.

#### Allegations Against Motorola and Schneider Electric

The lawsuit alleges Motorola and Schneider Electric manufactured products that were defective

and unreasonably dangerous because they did not contain adequate warnings or instructions concerning failure during normal use, and the products failed during normal use. The complaint states, "Motorola's systems and devices failed inside the school building leaving first responders without information communicated from dispatch and/or other first responders. Schneider Electric's doors failed to lock as designed after being shut."

### Plaintiffs Seek Punitive Damages

The plaintiffs seek punitive damages against all of the defendants except UCISD and the City of Uvalde for their reckless disregard for human life, oppression, and malice (despite allegations of UCISD and the City of Uvalde's own reckless actions, plaintiffs are prohibited from seeking punitive damages against government entities). The defendants were aware of the serious and demonstrable risk of serious bodily injury and death associated with their conduct and that such risks are compounded and worsened by their intentional inaction, the complaint alleges. With full knowledge of such risks, the defendants allegedly caused the plaintiffs to suffer and sustain severe physical, mental, and emotional harm.

### About Baum Hedlund Aristei & Goldman

Baum Hedlund is recognized as a preeminent plaintiff firm that handles high-stakes litigation against entities that cause [personal injury](#) or [wrongful death](#). The firm is one of the nation's top plaintiffs' civil trial law firms based in Los Angeles. Baum Hedlund has won some of the largest personal injury and wrongful death verdicts and settlements in recent history. Law360 has recognized Baum Hedlund on more than one occasion and honored them in 2021 with California Powerhouse and in 2020 with Product Liability Practice Group of the Year. ALM and The National Law Journal have twice awarded them with Elite Trial Lawyers Trial Team of the Year and inducted them into the Verdicts Hall of Fame. In total, the firm has won more than \$4 billion for its clients.

Attorney Stephanie B. Sherman is an award-winning Texas and California trial lawyer and shareholder at Baum Hedlund Aristei & Goldman. With her unique background in both psychology and law, Sherman is well-known throughout her home state of Texas and across the country for understanding the complexities of trauma and being a champion for the nation's most vulnerable. Her ceaseless advocacy in high-profile personal injury and wrongful death litigation has resulted in verdicts and settlements worth hundreds of millions.

Robin McCall

Baum, Hedlund, Aristei & Goldman, PC

+1 310-207-3233

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