

CAUSE NO. D-1-GN-24-004072

ALEXIS DOMINGUEZ, INDIVIDUALLY AND AS
PARENT AND NEXT FRIEND OF L.D., A MINOR
CHILD,

PLAINTIFFS,

VS.

W.O.S., INC. D/B/A THE CHILDREN’S
COURTYARD, INC.,

DEFENDANT.

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IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

53rd JUDICIAL DISTRICT

PLAINTIFFS’ FIRST AMENDED PETITION

1. Alexis Dominguez, like many parents, is a working parent that relied on a daycare to provide a safe, caring, nurturing environment for her son, L.D., while she worked. Alexis Dominguez trusted that her two-year-old son would be safe at Children’s Courtyard.¹

2. A safe learning environment and peace of mind are what parents like Alexis Dominguez pay for and expect. Instead, Alexis’ worst nightmare became a reality when her two-year-old son L.D. was inappropriately disciplined by an unqualified, untrained, and unsupervised Children’s Courtyard employee on at least two separate occasions, causing two-year-old L.D. to suffer serious physical, emotional, and mental injuries because of the inexcusable failures of Children’s Courtyard. Alexis brings this lawsuit on her family’s behalf asking for answers and asking that Children’s Courtyard accept responsibility.

¹ This petition refers to Defendant W.O.S., Inc. d/b/a The Children’s Courtyard, Inc. as “Children’s Courtyard.”

STATEMENT OF FACTS

3. The story of what two-year-old L.D. had to endure while enrolled at Children’s Courtyard is one that no child should ever have to go through. L.D.’s story begins with the promise made by Children’s Courtyard to Alexis and other parents in need of reliable and safe childcare. According to Children’s Courtyard, “Our teachers are *positive behavior experts*,” who are “given hundreds of strategies (based on current child behavior research) to redirect challenging or disruptive behaviors into positive classroom experiences.”² Children’s Courtyard publicizes and sells working parents on the idea that this daycare has highly qualified teachers, or “experts” as they call them, who will keep all children in their care safe, “Dedicated. Experienced. Caring. Our educators are all these things — and more.”³ However, a trail of records from the state of Texas as well as the horrific experiences of Alexis, her two-year-old son L.D., and other parents and children at Children’s Courtyard paints a very different picture.

4. Children’s Courtyard is responsible for qualifying, hiring, training, and supervising its employee caregivers on providing safe and proper care conducive to the welfare of the children, appropriate discipline methods, the prohibition of certain punishment methods, proper naptime conduct and procedures, the use of good judgment, competency, and control, proper response and documentation of incidents of injury, proper supervision of children, and compliance with Texas’ minimum standards for childcare.

² *Children’s Courtyard Website*, <https://www.childrencourtyard.com/education/positivebehaviorsupport/> (last visited September 18, 2024) (emphasis added).

³ *Id.*

"The July Incident"

5. Thursday, July 27, 2023, was a day that Alexis will never forget and through this lawsuit Alexis brings to light a story of Children's Courtyard blatantly ignoring repeated reports of inappropriate conduct by its employees, and therein blatantly ignoring the law. On this day, Alexis placed her two-year-old son L.D. in the care of Children's Courtyard for daycare.⁴ While under the care of Children's Courtyard, L.D. was aggressively handled and inappropriately disciplined causing L.D. physical, emotional, and psychological harm and damages (hereinafter, "the July Incident").

6. While L.D. was at daycare, L.D.'s father, Mario, decided to check in on L.D. through the live-feed video surveillance and was shocked and horrified by what he saw was happening to his son. The video footage shows L.D. lying down during naptime with Children's Courtyard's employee Shannon Marie Hernandez sitting on the floor next to L.D.⁵

7. Mario watches the cameras and sees Ms. Hernandez start to get rough with L.D. so he begins to record the live-feed camera footage. While recording, Ms. Hernandez is seen smothering two-year-old L.D. with a blanket from head to toe in an attempt to keep him quiet while other children were sleeping. Ms. Hernandez pulls the covers off L.D.'s head and repeatedly slaps L.D. on his face and head with great force as a form of discipline. L.D. is seen attempting to cover his face and head with his own hands from the repeated slaps. Ms. Hernandez then covers L.D.'s entire body back up with the blanket where she proceeds to

⁴ Defendant W.O.S., Inc., referred to as "Children's Courtyard," operates a daycare facility located at 5914 W. William Cannon Dr., Austin, Texas, under Texas state childcare license number 819473-810.

⁵ Upon information and belief, "Shannon Marie Hernandez" also goes by "Shannon Norton."

continuously smack L.D. on his back with unnecessary force causing his whole body to rock back and forth with each blow.



8. After seeing his son being inappropriately disciplined, Mario immediately goes to Children's Courtyard to report what he had just witnessed through the video footage. Despite the legal obligation under the Texas Minimum Standards for Child Care and their status as mandatory reporters, Children's Courtyard chooses NOT to report the incident to the state of Texas or law enforcement. Instead, L.D.'s parents report the incident to both the state and law enforcement. Even more alarming, Children's Courtyard did not immediately terminate Ms. Hernandez. Instead, they notified Alexis and Mario that Ms. Hernandez would be suspended for *one day*. This was not enough assurance for Alexis and Mario that L.D. was safe in the care of Children's Courtyard so they made the choice to immediately removed L.D. from the care of Children's Courtyard.

"The May Incident"

9. Following the media attention surrounding the July Incident, additional information came to light that shows that Children's Courtyard was aware of the mistreatment toward L.D., *and other children*, by their employees – including Shannon Marie Hernandez – and chose to do nothing.

10. Recorded live-feed video footage received from another family reveals that **two months prior to the July Incident**, on May 18, 2023 (hereinafter "the May Incident"), L.D. was seen being aggressively handled by Shannon Marie Hernandez, the same Children's Courtyard employee involved in the July Incident.

11. On May 18, 2023, the Milivojevic family placed their 18-month-old daughter N.M. in the care of Children's Courtyard for daycare. N.M. was in the same classroom as L.D., under the supervision of Children's Courtyard employee Ms. Hernandez. On this day, the Milivojevic family was tuned into the live-feed footage watching nap time when they saw the co-teacher in class with Ms. Hernandez get rough with their daughter *and other children*, so they started recording.

12. Video surveillance from May 18, 2023, shows L.D. being yanked up by both arms by Ms. Hernandez and being swung and thrown down onto his nap mat. As L.D. is sitting on the nap mat, Ms. Hernandez yanks L.D. up by his arms with great force, tosses him down onto the nap mat on his stomach. Ms. Hernandez then covers L.D. from head to toe with a blanket – the same exact blanket seen in the video footage from the July Incident. Ms. Hernandez, as is her regular practice apparently, then sits down besides L.D.'s nap mat and proceeds to continuously smack L.D. on his back with aggressive force, just as we saw her do in the video of the July Incident.



Ms. Hernandez yanks L.D. from ground, swinging and tossing him as she drags him to the nap cot



Ms. Hernandez yanks L.D. off nap cot, swings him, and aggressively slams him down on his stomach



Ms. Hernandez covers L.D. head-to-toe, sits down, and starts aggressively patting his back

13. Similarly, the Milivojevic family immediately reported what they saw on the footage to Children’s Courtyard, demanded something be done, and removed their daughter from care. In response, Kirstin Northington, the Director of Children’s Courtyard at the time of the May Incident stated that “corrective actions were taken for this incident,” and that she had “addressed all issues with staff as well as set up trainings to go over positive guidance and discipline.” Neither Ms. Hernandez, nor the other employee in the classroom involved in the inappropriate handling of N.M. were terminated. To date, Plaintiffs have no confirmation, proof, or evidence that any such “trainings to go over positive guidance and discipline” were ever conducted. In addition, Children’s Courtyard failed to document the May Incident and failed to notify state licensing – just as they chose not to do two months later in the July Incident.

14. The video footage capturing the May Incident and then two months later capturing the July Incident shows that this type of handling was a common and accepted practice at Children’s Courtyard by employees at all levels, including the Director.

15. An independent investigation into the Incident by the Texas Health and Human Services Commission Child-Care Licensing Division and the Texas Department of Family and Protective Services into the July Incident was performed, concluding that the allegations involving L.D. against Children’s Courtyard were *substantiated*, citing against Children’s Courtyard for violating the following childcare licensing rules of Texas:

- **746.1201(4): Responsibilities of Employees and Caregivers – Ensure No Child Abused, Neglected, or Exploited** – *There was sufficient evidence to support that physical abuse and neglectful supervision occurred.*

- **746.3703(a): People Whose Behavior/Health Threatens Children Not Present** – *The operation allowed a caregiver to remain with children for an additional 3 hours after learning the caregiver posed a risk to the children’s safety.*
- **746.305(a)(6): Report Situation Placing Children at Risk** – *The operation did not self-report an incident that placed children at risk.*
- **746.2909(5): Arrangement of Napping Equipment** – *A child’s head was covered by the caregiver during naptime.*
- **746.2805: Prohibited Punishments – No Harsh, Cruel, or Unusual** – *Prohibited punishment, including yelling, hitting, and pulling on children was used for discipline.*

16. Due to the failure of Children’s Courtyard to report the May Incident, the separate investigation into the May Incident is still ongoing.

17. Children’s Courtyard has been cited by the state of Texas numerous times for failing to ensure that the operation and its caregivers meet the minimum standards, laws, and regulations in place to keep kids safe. A history of citations, inspections, investigations, and deficiencies from the state show the same conduct and failure to act that led to the Incident and the injuries sustained by L.D. Children’s Courtyard has a clear recent history of failing to qualify, train, and supervise employees, failing to follow the minimum standards, and failing to properly care for children.

18. The following is an overview of some of the citations issued by the Texas Health and Human Services Commission from October 2018 through March 2023, the years leading up to the May and July Incidents:

- October 2018:
 - o Cited for failing to ensure safe sleep practices when a child was left to fall asleep in a restrictive device.
 - o Cited for failing to have required first-aid kits in all four of the daycare vans used to transport children.
 - o Cited for failing to maintain complete health and immunization records for several children enrolled.

- February 2019:
 - o Cited for failing properly supervise children in care when 2 children were forgotten and left unattended on the playground.

- May 2019:
 - o Cited for failing properly supervise children in care.

- June 2019:
 - o Cited for failing to ensure employees demonstrate competency, good judgment, and self-control.
 - o Cited for failing to ensure employees hold and comfort an infant child when the infant was injured and upset as the result of the employee's own conduct.

- October 2019:
 - o Cited for failing to keep floors, ceilings and walls in good repair and clean.
 - o Cited for failing to maintain a safe premises when two outlet covers were broken.
 - o Cited for failing to ensure the outdoor play area met required safety standards.

- November 2019:
 - o Cited for failing to ensure that employees demonstrate competency, good judgment, and self-control.
 - o Cited for failing to report an incident to licensing that placed a child at risk.

- October 2020:
 - o Cited for failing properly supervise children in care when a child was found alone and wandering outside of the building unsupervised.

- June 2021:

- Cited for failing properly supervise children.
- Cited for failing to notify parents of a situation that placed a child at risk.
- September 2021:
 - Cited for failing to ensure proper supervision of children.
 - Cited for failing to notify parents of a situation that placed a child at risk.
- February 2022:
 - Cited for failing to use appropriate methods of discipline when employees pulled children by one arm, pushed down by their heads on a mat and handled them in a rough manner.
- March 2022:
 - Cited for failing to maintain the appropriate child-to-caregiver ratio on multiple occasions.
- May 2022:
 - Cited for failing to ensure employees and director have the required up-to-date training on pediatric first aid.
 - Cited for failing to ensure employees have the required current First Aid and CPR training.
- March 2023:
 - Cited for failing to maintain a complete health and immunization file for children in care.
 - Cited for failing to maintain available electronic records for inspection.
 - Cited for failing to conduct the annual required sanitation health inspection.
 - Cited for failing to keep hazardous and toxic cleaning products inaccessible to children.

19. Following the May and July Incidents, Children’s Courtyard continued to fail to meet the minimum requirements for childcare in Texas receiving dozens of citations for various deficiencies through present day.

- August 2023:
 - Cited for using prohibited and inappropriate forms of discipline toward children.
 - Cited for failing to report an incident to licensing that placed children at risk.
 - Cited for interfering with a state investigation when an incident video was deleted by the center before allowing the state to view it.
 - Cited for failing to keep floors, ceilings, and walls in good repair and clean.
 - Cited for failing to have a current annual fire inspection.

- September 2023
 - Cited for failing to console or comfort a toddler child who was upset.
 - Cited for failing to keep floors, ceilings, and walls in good repair and clean.
 - Cited for allowing a child under two years old to have screen time as an activity.
 - Cited for using a vehicle to transport children that does not have a current inspection or registration.

- October 2023:
 - Cited **twice** when caregivers were found using their personal cell phone while caring for children.
 - Cited when a caregiver was observed using a prohibited punishment on children.
 - Cited for caregivers not promptly changing children's diapers and causing diaper rash on the children.
 - Cited for failing to properly supervise children in their care.

- November 2023:
 - Cited for failing to maintain the minimum child-to-caregiver ratio.
 - Cited for three caregivers failing to have the required First Aid training.
 - Cited for three caregivers failing to have the required CPR training.
 - Cited for failing to keep hazardous objects away from children that may cause choking in infants and toddlers.
 - Cited for failing to have the required proof meeting the educational requirements.
 - Cited for failing to have updated immunization records for children in care.
 - Cited for failing to post children's food allergies information in the kitchen where food is prepared.

- December 2023:
 - Cited for failing to keep the garbage cans inaccessible to children.
 - Cited for failing to test the carbon monoxide system monthly.
 - Cited for failing to console or comfort a toddler child who was upset.
 - Cited for failing to test the smoke detectors monthly as required to do so.
 - Cited for caregiver failing to wash her hands after changing a diaper.
 - Cited for caregiver failing to wash a child's hands after diaper change.
 - Cited for failing to cover an electrical outlet in a classroom.

- January 2024:
 - Cited for failing to have the required emergency allergy plan for a child diagnosed with a food allergy.
 - Cited for failing to have updated immunization records for children in care.

- Cited for failing to have the statements of 2 caregivers showing that they attended abuse/neglect training.
 - Cited for failing to serve the required amount of snack components to the children for snack time.
 - Cited for failing to properly dispose of medication that is expired.
 - Cited for a caregiver failing to know the number of children they were responsible for.
 - Cited for failing to properly store a child's allergy medication.
 - Cited for caregiver failing to wash a child's hands after diaper change.
- May 2024:
- Cited for failing to conduct the required annual health inspection.
 - Cited for failing to ensure three employees complete the required annual training hours.
 - Cited for failing to label the nap mats with the children's names.
- July 2024:
- **Cited for failing to ensure employees demonstrate competency, good judgment, and self-control when employees were seen on camera yanking children by one arm, pulling them onto mats to intentionally cause them to fall, slamming them onto their mats, and roughly covering them with nap linens.**
 - **Cited for the director failing to report to licensing a situation that placed a child at risk.**
 - **Cited for failing to ensure employees use appropriate forms of discipline when employees were seen using prohibited forms of punishment including grabbing, pulling, slamming onto nap mats, and intentionally causing a child to fall.**
- August 2024:
- Cited for failing to provide adequate supervision to children when a child was forgotten and left on the playground.
 - Cited for failing to provide parents an incident report documenting a known failure to provide adequate supervision incident
 - Cited for the director failing to ensure that the daycare operate in compliance with the minimum standards in handling the discovery of the inadequate supervision incident.

20. What happened to L.D. was preventable. As a direct and proximate result of the actions and omissions of Children's Courtyard, Plaintiffs Alexis Dominguez and L.D. sustained injuries and damages.

DISCOVERY CONTROL PLAN & CLAIM FOR RELIEF

21. Discovery in this matter is intended to be conducted under Level 3 of the Texas Rules of Civil Procedure.

22. As required by the Texas Rule of Civil Procedure 47(c), Plaintiffs' counsel states that Plaintiffs seek monetary relief over \$1,000,000.00; however, the amount of monetary relief awarded will ultimately be determined by a jury.

PARTIES

23. Plaintiff Alexis Dominguez is the biological mother of Plaintiff L.D., a minor, and are citizens and residents of León, Mexico.

24. Defendant W.O.S., Inc (herein referred to as "Defendant" or "Children's Courtyard") is a corporation doing business in the State of Texas, its state of formation. Defendant has been served with process through its registered agent, Corporation Service Company d/b/a CSC-Lawyers Incorporating Service Company, located at 211 E. 7th Street, Suite 620, Austin, Texas 78701 and is properly before this Court. Citation is not requested.

JURISDICTION & VENUE

25. The Court has subject matter jurisdiction over this lawsuit because the amount in controversy exceeds this Court's minimum jurisdictional requirements.

26. Venue is proper in Travis County, Texas, under Texas Civil Practices and Remedies Code Section 15.002(a) because this is the county where all or part of the events or omissions giving rise to the claim occurred.

CAUSES OF ACTION

Count One – Negligence

27. Plaintiffs incorporate by reference the preceding paragraphs as if stated fully herein.

28. The occurrences made the basis of this suit, reflected in the above paragraphs, and the resulting injuries and damages of Plaintiffs were proximately caused by the negligent conduct of the Defendant. Defendant was negligent by breaching the duty that was owed to Plaintiffs, to exercise ordinary care in one or more of the following acts or omissions, constituting negligence:

- a. Failing to exercise the care that was necessary under the circumstances;
- b. Failing to do what a reasonable daycare would have done under the circumstances;
- c. Failing properly supervise the children in their care;
- d. Failing to intervene to ensure a child's safety;
- e. Failing to maintain a safe environment for children;
- f. Choosing to inappropriately discipline minor Plaintiff L.D.;
- g. Failing to ensure that expectations for a child's behavior is appropriate or the developmental level of that child;
- h. Failing to use only constructive, age-appropriate methods of discipline;
- i. Failing to use safe methods of putting children for nap;
- j. Failing to properly hire, qualify, train, and supervise its employee-caregivers trusted with the care of minor Plaintiff L.D.;
- k. Failing to appropriately respond in an emergency situation;
- l. Failing to use positive methods of discipline and guidance with the children in its care;

- m. Failing to ensure caregiver employees demonstrate competency, good judgment, and self-control;
 - n. Failing to record and report serious injuries sustained by a child in its care; and
 - o. Failing to adhere to the Texas Minimum Standards for Childcare.
29. Defendant had a duty to exercise ordinary care in caring for, supervising, and disciplining the children in its care so as to prevent injury to Plaintiff L.D. and other children similarly situated.
30. Defendant had a duty to maintain a safe environment for children in its care so as to prevent injury to L.D., and other children similarly situated.
31. Defendant had a duty to hire, train, and supervise caregiver employees to ensure that children were not subjected to inappropriate discipline, so as to prevent injury to L.D., and other children similarly situated.
32. Defendant breached the duty of care by failing to care for the children; failing to supervise the children; failing to appropriately discipline the children; failing to properly train, hire, and supervise its employees; failing to maintain a safe environment for children; failing to immediately terminate an employee who excessively disciplined and harmed a child; failing to call for medical attention after a minor child in their care sustained injuries; failing to create an incident report for an incident involving serious injury to a child; and failing to report to the relevant state agency an incident involving serious injury to a child.
33. Defendant's negligent acts and/or omissions, and breach of duties, directly and proximately caused injury to Plaintiffs, which resulted in significant damages.

Count Two – Negligence Per Se

34. Plaintiffs incorporate by reference the preceding paragraphs as if stated fully herein.
35. Defendant failed to exercise the mandatory standard of care in violation of the Texas Department of Family and Protective Services, Minimum Standards for Child-Care.
36. In the foregoing claims of negligence per se, Plaintiffs were, at all times, members of the class that the statutes the Defendant violated were designed to protect.
37. Defendant's violation of the statutes was the proximate cause of the Incident in question.
38. As a result of the Defendant's acts and/or omissions in violating the statutes, Plaintiffs sustained damages.

Count Three – Gross Negligence

39. Plaintiffs incorporate by reference the preceding paragraphs as if stated fully herein.
40. Defendant's conduct was more than momentary thoughtlessness or inadvertence. Rather, the acts and/or omissions by Defendant in the preceding paragraphs constitute gross negligence as that term is defined in Texas Civil Practices and Remedies Code §41.001(11).
41. Defendant's conduct involved an extreme degree of risk, considering the probability and magnitude of potential harm to the Plaintiffs. Defendant had actual, subjective awareness of the risk involved, but, nevertheless, proceeded in conscious indifference to the rights, safety, or welfare of Plaintiffs or of others similarly situated.
42. The above acts and/or omissions were singularly and cumulatively the proximate cause of the occurrence in question and the resulting injuries and damage sustained by Plaintiffs.

Count Four – Negligent Activity

43. Plaintiffs incorporate by reference the preceding paragraphs as if stated fully herein.

44. Defendant is the owner, operator, and/or possessor of the daycare premises located at 5914 W. William Cannon Drive, Austin, Texas 78749, operation license number 819473.

45. At the time of the Incidents, L.D. was a minor child placed in the care of Defendant and was thus an "invitee" to whom Defendant owed a duty to exercise ordinary care.

46. Plaintiffs' injuries were the direct and contemporaneous result of Defendant's ongoing negligent activity on the premises at the time of the injuries and damages sustained.

47. Defendant owed Plaintiffs a legal duty to ensure L.D.'s safety in maintaining proper care over the children; ensuring discipline over the children is appropriate; ensuring that employees are necessarily hired, trained, supervised, and terminated in order to maintain a safe environment for children; and ensuring that serious injuries are recorded and reported. Defendant breached these duties by permitting one of its employee-caregivers to inappropriately discipline children, by allowing that caregiver to remain on staff after the Incident, and by failing to create a corresponding incident report and inform the appropriate state entity of the injuries L.D. sustained.

48. Such negligent activity on the part of the Defendant proximately caused the injuries and other damages suffered by Plaintiffs.

RESPONDEAT SUPERIOR

49. Plaintiffs incorporate by reference the preceding paragraphs as if stated fully herein.

50. The negligence, carelessness, and callousness of Defendant's employees proximately caused the damage and losses suffered by Plaintiffs as a result of the injuries. At all times material to this action, Defendant employees were acting in the course and scope of their

employment. Accordingly, Defendant may be held responsible for its employees' negligence under the doctrine of respondeat superior.

DAMAGES

51. Plaintiffs incorporate by reference the preceding paragraphs as if stated fully herein.

52. As a direct and proximate cause of Defendant's negligent acts and/or omissions, Plaintiff Alexis Dominguez, individually, and as Parent and Next Friend of Plaintiff L.D., a minor child, suffered damages and injuries that include, but are not limited to:

- a. Physical pain and suffering in the past;
- b. Physical pain and suffering, in reasonable probability, sustained in the future;
- c. Mental anguish in the past;
- d. Mental anguish, in reasonable probability, sustained in the future;
- e. Reasonable and necessary medical expenses in the past;
- f. Reasonable and necessary medical expenses, in reasonable probability, sustained in the future;
- g. Loss of wages in the past;
- h. Loss of wages, in reasonable probability, sustained in the future;
- i. Loss of wage-earning capacity in the past;
- j. Loss of wage-earning capacity, in reasonable probability, sustained in the future;
- k. Physical impairment in the past;
- l. Physical impairment, in reasonable probability, sustained in the future;
- m. Loss of the normal enjoyment of the pleasure of life in the past;

- n. Loss of the normal enjoyment of the pleasure of life, in reasonable probability, sustained in the future;
 - o. Costs of suit; and
 - p. All other relief, in law and equity, to which Plaintiffs may be entitled.
53. Plaintiffs' damages clearly exceed the minimum jurisdictional requirements for this Court. Plaintiffs, therefore, seek compensation by the Court and jury for their damages, in an amount to be determined by the jury.

EXEMPLARY DAMAGES

54. Plaintiffs incorporate by reference the preceding paragraphs as if stated fully herein.
55. Plaintiffs would further show that the acts and/or omissions of the Defendant complained of herein were committed knowingly, willfully, intentionally, with actual awareness, and with the specific and predetermined intention of enriching said Defendant at the expense of Plaintiffs.
56. The grossly negligent conduct of Defendant, as described herein, constitutes conduct for which the law allows the imposition of exemplary damages. Accordingly, Plaintiffs seek the award of exemplary damages against Defendant pursuant to Chapter 41 of the Texas Civil Practices and Remedies Code.

JURY TRIAL

57. Plaintiffs demand a jury trial and have tendered the appropriate fee with the filing of this Original Petition.

U.S. LIFE TABLES

58. Notice is hereby given that Plaintiffs intend to use the U.S. Life Tables as prepared by the Department of Health and Human Services.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiffs pray that Defendant be cited to appear and answer herein and upon final hearing hereof, they take, have and recover, of and from said Defendant, the above damages, exemplary damages, costs of court, pre-judgment interest, post-judgment interest, and for such other and further relief to which they may show themselves justly entitled.

Dated: September 23, 2024.

Respectfully submitted,

THE BUTTON LAW FIRM

By: /s/Russell T. Button

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CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of September 2024, a true and correct copy of this pleading was served in accordance with the Texas Rules of Civil Procedure on all known counsel of record.

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Associated Case Party: ALEXIS DOMINGUEZ

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