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10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **COUNTY OF LOS ANGELES**

13 JOHN JAMES ALTOBELLI, an individual
and as Successor in Interest to ALYSSA
14 ALTOBELLI, JOHN ALTOBELLI, and KERI
ALTOBELLI; ALEXIS ALTOBELLI, a
15 minor, by and through her Guardian JOHN
JAMES ALTOBELLI;

16 **PLAINTIFFS,**

17 v.

18 ISLAND EXPRESS HELICOPTERS, INC., a
19 California Corporation; ISLAND EXPRESS
HOLDING CORP., a California Corporation;
20 and DOES 1-50,

21 **Defendants.**
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Case No. **20STCV14963**

COMPLAINT FOR DAMAGES
(WRONGFUL DEATH AND SURVIVAL ACTION)

1. NEGLIGENCE

DEMAND FOR JURY TRIAL

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1 COMES NOW plaintiffs JOHN JAMES ALTOBELLI, an individual and as Successor in
2 Interest to ALYSSA ALTOBELLI, JOHN ALTOBELLI, and KERI ALTOBELLI, and ALEXIS
3 ALTOBELLI, a minor, by and through her Guardian JOHN JAMES ALTOBELLI, for causes of
4 action against Defendants ISLAND EXPRESS HELICOPTERS, INC., a California Corporation;
5 ISLAND EXPRESS HOLDING CORP., a California Corporation; and DOES 1-50, who complain
6 and allege as follows:

7
8 **GENERAL ALLEGATIONS**

9 1. On January 26, 2020, a Sikorsky S-76B helicopter, bearing FAA registration (tail)
10 number N72EX (hereafter “Subject Helicopter”), crashed in Calabasas, California, resulting in the
11 death of all passengers on board including three members of the Altobelli family: Alyssa Altobelli,
12 Keri Altobelli, and John Altobelli. (hereafter referred to as the “Subject Helicopter Incident”).

13 2. Plaintiff John James Altobelli is the surviving son of John Altobelli, stepson of
14 Keri Altobelli, and sibling of Alyssa Altobelli. Plaintiff John James Altobelli resides within the
15 State of California. At all times relevant herein, Plaintiff John James Altobelli is the successor in
16 interest for decedents Alyssa Altobelli and John Altobelli. Plaintiff John James Altobelli
17 accordingly succeeds to the decedents’ interests in this action and hereby asserts survival claims
18 and all allowable survival damages. Plaintiff John James Altobelli is also serving as the successor
19 in interest for Keri Altobelli, as described in the following paragraph.

20 3. Plaintiff Alexis Altobelli is the surviving daughter of Keri and John Altobelli, as
21 well as the sibling of Alyssa Altobelli. Plaintiff Alexis Altobelli is a minor represented by and
22 through her legal guardian John James Altobelli. Plaintiff Alexis Altobelli resides within the State
23 of California. At all times relevant herein, plaintiff Alexis Altobelli is the successor in interest for
24 decedent Keri Altobelli and succeeds to the decedent’s interests in this action. Serving as Alexis
25 Altobelli’s legal guardian, plaintiff John James Altobelli hereby asserts survival claims and all
26 allowable survival damages for decedent Keri Altobelli.

27 4. Defendant Island Express Helicopters, Inc., (“Island Express Helicopters”), at all
28 times herein relevant, is a California corporation located at 1175 Queens Highway, Long Beach,

1 California, and it conducts regular business activities in Los Angeles County, California.

2 5. Defendants Island Express Holding Corp. (“Island Express Holding”), at all times
3 herein relevant, is a California corporation located at 67 D Street, Fillmore, California, and it
4 conducts regular business activities in Los Angeles County, California.

5 6. At all times material hereto, Defendants Island Express Helicopters and Island
6 Express Holding were the operators, owners, lessees, managers, and/or maintainers of the Subject
7 Helicopter.

8 7. At all times material hereto, Defendants Island Express Helicopters and Island
9 Express Holding were acting by and through their agents, servants and/or employees, each of
10 whom was acting within the course and scope of his, her, or its employment or agency with
11 defendants.

12 8. The true names and capacities, whether individual, plural, corporate, partnership,
13 associate, or otherwise, of DOES 1 through 50, inclusive, are unknown to plaintiffs who therefore
14 sue said defendants by such fictitious names. The full extent of the facts linking such fictitiously
15 sued defendants is unknown to plaintiffs. Plaintiffs are informed and believe, and thereupon
16 allege, that each of the defendants designated herein as a DOE was, and is, legally responsible, in
17 negligence or in some other actionable manner, for the events and happenings of the Subject
18 Helicopter Incident, and thereby legally and proximately caused the deaths of John Altobelli, Keri
19 Altobelli, and Alyssa Altobelli, as well as damages to plaintiffs. Plaintiffs will hereafter seek
20 leave of the Court to amend this Complaint to show the defendants’ true names and capacities
21 after the same have been ascertained.

22 9. Plaintiffs are informed and believe, and thereon allege, that at all times mentioned
23 herein, defendants, and each of them, were the agents, servants, employees, successors in interest,
24 and/or joint venturers of their co-defendants, and each was, as such, acting within the course,
25 scope, and authority of said agency, employment and/or venture, and that each and every
26 defendant, as aforesaid, when acting as a principal, was negligent in the selection of each and
27 every other defendant as an agent, servant, employee, successor in interest, and/or joint venturer.

28 10. By reason of the careless, negligent, and unlawful acts and/or omissions of the

1 defendants, and each of them, as stated herein, and as a direct consequence of the crash and
2 matters herein alleged, plaintiffs, individually, and as successors in interest, have sustained
3 wrongful death and survival damages, economic and non-economic damages, funeral and burial
4 expenses, and all other damages available by law.

5
6 **FIRST CAUSE OF ACTION FOR WRONGFUL DEATH AND SURVIVAL DAMAGES**

7 **NEGLIGENCE**

8 **[Brought by All Plaintiffs as Against Defendants Island Express Helicopters, Inc., Island
9 Express Holding Corp., and DOES 1 through 50, inclusive]**

10 11. Plaintiffs re-allege and incorporate herein by reference each and every allegation
11 and statement contained in the prior paragraphs.

12 12. Defendants Island Express Helicopters, Island Express Holding, and DOES 1
13 through 50, inclusive, and each of them, and their employees and/or agents, owed a duty of care to
14 all reasonably foreseeable people, including the passengers of the Subject Helicopter, to own,
15 lease, manage, maintain, control, entrust, charter, and operate the Subject Helicopter in a
16 reasonable manner.

17 13. At all relevant times, Defendants Island Express Helicopters, Island Express
18 Holding, and DOES 1 through 50, inclusive, and each of them, were acting through their
19 employees and/or agents whom themselves were acting within the course and scope of their
20 employment and/or agency with Defendants Island Express Helicopters, Island Express Holding,
21 and/or other unknown DOE defendants.

22 14. Plaintiffs are informed and believe, and thereon allege, that at all times mentioned
23 herein, Island Express Helicopters, Island Express Holding, and DOES 1 through 50, inclusive,
24 and each of them, and their employees and/or agents, negligently and carelessly breached their
25 duty to own, lease, manage, maintain, control, entrust, charter, and operate the Subject Helicopter
26 in a reasonable manner.

27 15. Plaintiffs are informed and believe, and thereon allege, that at all times mentioned
28 herein, defendants Island Express Helicopters, Island Express Holding, and DOES 1 through 50,

1 inclusive, and each of them, and their employees and/or agents, were negligent and careless, in
2 regards to owning, leasing, managing, maintaining, controlling, entrusting, chartering, and
3 operating the Subject Helicopter was the direct, legal and proximate cause, and were a substantial
4 factor in causing, the deaths of plaintiffs' decedents John Altobelli, Keri Altobelli, and Alyssa
5 Altobelli, as well as plaintiffs' significant damages and losses.

6 16. As a direct, legal and proximate result of the careless, negligent, and unlawful
7 conduct of defendants Island Express Helicopters, Island Express Holding, and DOES 1 through
8 50, inclusive, and each of them, Plaintiffs each suffered damages resulting from the loss of love,
9 affection, care society, service, comfort, society, support, right of support, expectations of future
10 support and counseling, companionship, solace and mental support, training, and guidance, as well
11 as other benefits and assistance, of their decedent, all to their noneconomic damages, which will
12 be stated according to proof.

13 17. As a direct, legal and proximate result of the careless, negligent, and unlawful
14 conduct of defendants Island Express Helicopters, Island Express Holding, and DOES 1 through
15 50, inclusive, and each of them, Plaintiffs suffered damages resulting from the deprivation of
16 financial support and assistance, loss of gifts, loss of future contributions and pecuniary benefits,
17 loss of inheritance of prospective accumulations, all to their economic damages, which will be
18 stated according to proof.

19 18. As a direct, legal and proximate result of the careless, negligent, and unlawful
20 conduct of defendants Island Express Helicopters, Island Express Holding, and DOES 1 through
21 50, inclusive, and each of them, Plaintiffs have incurred economic expenses, including but not
22 limited to medical, funeral, burial and/or incidental expenses related to the death of their
23 decedents, in an amount to be determined according to proof.

24 19. As a direct, legal and proximate result of the careless, negligent, and unlawful
25 conduct of defendants Island Express Helicopters, Island Express Holding, and DOES 1 through
26 50, inclusive, and each of them, decedents John Altobelli, Keri Altobelli, and Alyssa Altobelli
27 were each injured in their person and property for a discernible period of time prior to their deaths.
28 As successors in interest to decedents Alyssa Altobelli, John Altobelli, and Keri Altobelli,

1 Plaintiffs hereby assert survival claims on behalf of the decedents and seeks all survival damages
2 allowed by law.

3
4 **PRAYER FOR RELIEF**

5 Plaintiffs pray for judgment against defendants Island Express Helicopter, Inc., and Island
6 Express Holding Corp., and DOES 1 through 50, inclusive, and each of them, as follows:

- 7 1. For wrongful death general damages and special damages according to proof;
- 8 2. For noneconomic damages, including but not limited to loss of love, affection, care
9 society, service, comfort, society, support, right of support, expectations of future support and
10 counseling, companionship, solace and mental support, training, and guidance, and services of
11 decedents to their survivors and heirs;
- 12 3. For economic damages, including but not limited to deprivation of financial
13 support and assistance, loss of gifts, loss of future contributions and pecuniary benefits, loss of
14 inheritance of prospective accumulations;
- 15 4. For funeral and burial expenses;
- 16 5. Full value of life of the decedents for their wrongful deaths;
- 17 6. For survival damages;
- 18 7. For prejudgment interest as allowed by law;
- 19 8. For post-judgment interest as allowed by law;
- 20 9. For cost of suit incurred herein; and
- 21 10. For such other and further relief as this court may deem just and proper.

22 DATED: April 17, 2020

PANISH SHEA & BOYLE LLP

23
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28 Matthew Stumpf
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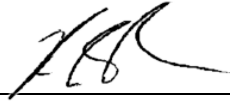
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DEMAND FOR JURY TRIAL

Plaintiffs John James Altobelli and Alexis Altobelli hereby demand a trial by jury as to all causes of action.

DATED: April 17, 2020

PANISH SHEA & BOYLE LLP

By: 

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