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8 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
9 **IN AND FOR THE COUNTY OF WASHOE**

10 * * *

11
12 MAUREEN HVEGHOLM, an individual,

Case No.

13 Plaintiff,

14 vs.

Dept. No.

15 TIMOTHY EGAN, an individual,

16 Defendant.

Exempt from Arb. NAR 3(A)
Over \$50,000

17 _____ /

18 **COMPLAINT**

19
20 COMES NOW, MAUREEN HVEGHOLM, an individual (“Hvegholm” or
21 “Plaintiff”) by and through the undersigned counsel, and hereby brings this action
22 against TIMOTHY EGAN (“Egan” or the Defendant”), and individual, DOE
23 INDIVIDUALS 1-10, and ROE COMPANIES 1-10 for damages to Hvegholm resulting
24 from Defendant’s abuse of Hvegholm on December 8, 2022, in Sparks, Nevada.

25 **PARTIES**

26 1. At all times relevant to this proceeding, Plaintiff was and is a resident of
27 the City of Sparks, Washoe County, Nevada.

28 2. At all times relevant to this proceeding, Defendant TIMOTHY EGAN was

1 and is a resident of the City of Sparks, Washoe County, Nevada, and was an
2 employee of the Sparks Fire Department.

3 3. The Defendants action complained of herein were not within the course
4 and scope of Defendant's duties as a Firefighter for the City of Sparks.

5 4. The true names and capacities, whether individual, corporate, associate
6 or otherwise, of Defendants DOE individuals and ROE corporations, and each of
7 them, are unknown to Plaintiff at this time and Plaintiff therefore sues said Defendants
8 by such fictitious names. Plaintiff alleges, on information and belief, that each
9 DOE/ROE defendant is responsible for the actions herein alleged and will seek leave
10 of Court to amend this Complaint when the names of said defendants have been
11 ascertained.

12 5. Plaintiff is informed and believes, and thereon allege, that at all times
13 material hereto and mentioned herein, each of the Defendants sued herein (both
14 named and fictitious) were the agent, servant, employer, joint venturer, partner,
15 division, owner, subsidiary, alias, assignee and/or alter-ego of each of the remaining
16 Defendants and were at all times acting within the purpose and scope of such agency,
17 servitude, joint venture, division, ownership, subsidiary, alias, assignment, alter-ego,
18 partnership or employment and with the authority, consent, approval and ratification
19 of each remaining Defendants.

20 **JURISDICTION AND VENUE**

21 6. The above-captioned Court has subject matter jurisdiction pursuant to
22 NRS 3.221 and NRS 4.370, as the amount in controversy exceeds fifteen thousand
23 dollars (\$15,000.00).

24 7. Venue is properly in the above-captioned Court because: (a) the Plaintiff
25 is located in Washoe County and the Defendant is located in Washoe County; (b) the
26 transactions related to the same occurred in Washoe County; (c) the events and
27 omissions giving rise to the claims for relief detailed herein below occurred in Washoe
28 County; (d) it has personal jurisdiction over the Plaintiff in this action; and (e) it has

1 personal jurisdiction over the Defendant.

2 **ALLEGATIONS OF FACT**

3 8. Maureen Hvegholm is 84 years old.

4 9. Ms. Hvegholm resides in a bungalow across the alley from the Sparks
5 Fire Station No.1 at 1600 Victorian Ave. in Sparks, Nevada.

6 10. Ms. Hvegholm feeds stray cats in the alley behind the Fire Station No. 1,
7 and this has led to conflict with some Sparks firefighters who claim that Ms.
8 Hvegholm's feeding the cats leads to damage to their equipment.

9 11. On December 8, 2022, Ms. Hvegholm was feeding cats in the alley
10 behind the Sparks Fire Station No. 1.

11 12. As Ms. Hvegholm was placing water and food out for the cats, a SUV
12 driven by the Defendant pulled into the alley and then, after opening a sliding chain
13 linked fence gate, into the Fire Station No. 1.

14 13. After parking the SUV, the Defendant exited the parking lot of the Fire
15 Station No. 1 into the alley where the Plaintiff was feeding the cats.

16 14. The Defendant threw trash in the dumpster behind the Fire Station No.
17 1 and then approached Ms. Hvegholm.

18 15. When facing Ms. Hvegholm, the Defendant began to grab the cat food
19 and the water that Hvegholm was placing in the alley from the ground and then from
20 Hvegholm's hands.

21 16. Startled by the Defendant's actions, Hvegholm swatted at the Defendant.

22 17. The Defendant then grabbed Hvegholm's shoulders, and performed a
23 sweep maneuver on her feet, and Hvegholm landed headfirst on the concrete.

24 18. The Defendant then stood over Hvegholm for a moment before
25 Hvegholm managed to get to her feet and walk back to her home.

26 19. Based on the Defendant's relative size, age, and strength, the Plaintiff
27 posed no reasonable threat to the Defendant.

28 20. The incident described herein was captured on surveillance cameras

1 posted around the Sparks Fire Station. A true and correct copy of the videos showing
2 the incident are attached hereto as Exhibits 1 and 2.

3 21. After the incident, on December 8, 2022, Hvegholm was cited for battery
4 upon a protected person (the Defendant) by the Sparks Police.

5 22. After further investigation of the incident, on December 19, 2022 the
6 Sparks Police voided the citation against Ms. Hvegholm.

7 23. After the incident described herein, on December 8, 2022 Hvegholm
8 was transported to Renown Regional Medical Center by her son and was diagnosed
9 with a traumatic brain injury.

10 24. After the incident described herein, Hvegholm has suffered a severe
11 decline in her quality of life, her ability to move about freely, and her ability to care for
12 herself independent of her children – as well as a looming sense of panic, terror, and
13 lack of security in her home resulting from the encounter with the Defendant described
14 above.

15 25. Hvegholm has and will continue to receive medical treatment for her
16 injuries resulting from the incident described herein.

17 **CLAIMS FOR RELIEF**

18 **Negligence**

19 26. Plaintiff incorporates all preceding paragraphs as though each were fully
20 set forth verbatim hereat.

21 27. At all times mentioned herein, Defendant had a duty to exercise
22 reasonable to avoid injuring the Plaintiff.

23 28. Defendant breached said duty by performing a leg sweep on the Plaintiff
24 where the Plaintiff posed no threat to the Defendant.

25 29. As a direct and proximate result of the Defendant's negligence, Plaintiff
26 suffered injuries in and about the head, neck, back, legs, arms, organs, and systems,
27 and were otherwise injured and caused to suffer great pain of body and mind, and all
28 or some of the same is chronic and may be permanent and disabling, valued at an

1 amount in excess of \$15,000.00.

2 30. As a direct and proximate result of Defendant's negligence, Plaintiff
3 spent money for medical and miscellaneous expenses and will in the future be caused
4 to expend additional funds for medical expenses and miscellaneous expenses
5 incidental thereto, in a sum not yet presently ascertainable, and leave of Court will be
6 requested to include these damages once they have been fully determined.

7 31. Prior to the injuries detailed in this Complaint, Plaintiff was able-bodied
8 and capable of engaging in all other activities for which Plaintiff was otherwise suited.

9 32. As a direct and proximate result of Defendant's negligence, Plaintiff has
10 been disabled and limited and restricted in activities, causing Plaintiff's damages in a
11 sum not yet presently ascertainable, the allegations of which Plaintiff seeks leave of
12 Court to include when the same shall be fully determined.

13 33. The Plaintiff has been required to seek professional and legal services
14 to prosecute this action, and, accordingly, each is entitled to recover their reasonable
15 attorney fees together with other costs incurred therefore.

16 **Negligence Per Se**

17 34. Plaintiff incorporates all preceding paragraphs as though each were fully
18 set forth verbatim hereat.

19 35. The acts of Defendant as described herein violated the laws of the State
20 of Nevada, including but not limited to violation of NRS 200.5093 by abusing an elderly
21 person, constituting negligence per se.

22 36. Defendant breached said laws by performing a leg seep on an 84-year-
23 old woman.

24 37. As a direct and proximate result of the Defendants' negligence, the
25 Plaintiff has suffered damages.

26 38. As a direct and proximate result of the Defendant's negligence, Plaintiff
27 suffered injuries in and about the head, neck, back, legs, arms, organs, and systems,
28 and were otherwise injured and caused to suffer great pain of body and mind, and all

1 or some of the same is chronic and may be permanent and disabling, valued at an
2 amount in excess of \$15,000.00.

3 39. As a direct and proximate result of Defendant's negligence, Plaintiff
4 spent money for medical and miscellaneous expenses and will in the future be caused
5 to expend additional funds for medical expenses and miscellaneous expenses
6 incidental thereto, in a sum not yet presently ascertainable, and leave of Court will be
7 requested to include these damages once they have been fully determined.

8 40. Prior to the injuries detailed in this Complaint, Plaintiff was able-bodied
9 and capable of engaging in all other activities for which Plaintiff was otherwise suited.

10 41. As a direct and proximate result of Defendant's negligence, Plaintiff has
11 been disabled and limited and restricted in activities, causing Plaintiff's damages in a
12 sum not yet presently ascertainable, the allegations of which Plaintiff seeks leave of
13 Court to include when the same shall be fully determined.

14 42. The Plaintiff has been required to seek professional and legal services
15 to prosecute this action, and, accordingly, each is entitled to recover their reasonable
16 attorney fees together with other costs incurred therefore.

17 **Abuse of an Older Person - NRS 41.1395**

18 43. Plaintiff incorporates all preceding paragraphs as though each were fully
19 set forth verbatim hereat.

20 44. The Defendant willfully and unjustifiably inflicted pain, injury and mental
21 anguish on the Plaintiff.

22 45. At all relevant times, the Defendants acted with acted with recklessness,
23 oppression, or malice aforethought, and in performing a leg sweep on the Plaintiff
24 where the Plaintiff posed no reasonable threat to the Defendant.

25 46. Being abused by the Defendant caused physical injury to the Plaintiff and
26 was otherwise harmful and offensive.

27 47. The Plaintiff did not consent to physical abuse by the Defendant.

28 48. As a direct and proximate result of the abuse, the Plaintiff has suffered

1 damages.

2 49. As a direct and proximate result of the Defendant's abuse, Plaintiff
3 suffered injuries in and about the head, neck, back, legs, arms, organs, and systems,
4 and were otherwise injured and caused to suffer great pain of body and mind, and all
5 or some of the same is chronic and may be permanent and disabling, valued at an
6 amount in excess of \$15,000.00.

7 50. As a direct and proximate result of Defendant's abuse, Plaintiff spent
8 money for medical and miscellaneous expenses and will in the future be caused to
9 expend additional funds for medical expenses and miscellaneous expenses incidental
10 thereto, in a sum not yet presently ascertainable, and leave of Court will be requested
11 to include these damages once they have been fully determined.

12 51. Prior to the injuries detailed in this Complaint, Plaintiff was able-bodied
13 and capable of engaging in all other activities for which Plaintiff was otherwise suited
14 at her age.

15 52. As a direct and proximate result of Defendant's abuse, Plaintiff has been
16 disabled and limited and restricted in activities, causing Plaintiff's damages in a sum
17 not yet presently ascertainable, the allegations of which Plaintiff seeks leave of Court
18 to include when the same shall be fully determined.

19 53. The Plaintiff has been required to seek professional and legal services
20 to prosecute this action, and, accordingly, each is entitled to recover their reasonable
21 attorney fees together with other costs incurred therefore.

22 54. Due to Defendant's commission of abuse upon her, Plaintiff has been
23 required to retain the services of legal counsel and to incur attorney's fees and costs
24 thereby.

25 **Exemplary Damages**

26 55. Plaintiff incorporates all preceding paragraphs as though each were fully
27 set forth verbatim hereat.

28 56. The Defendants acted with knowledge of the probable harmful

1 consequences of abusing the Plaintiff.

2 57. The Defendant's conduct was malicious and oppressive and showed a
3 conscious disregard of the Plaintiff's rights protected under law.

4 58. As such, the Plaintiff seeks an award of exemplary and punitive damages
5 against the Defendant.

6 **NRS 239B.030(4) AFFIRMATION**

7 Pursuant to NRS 239B.030 the undersigned hereby affirms that this
8 document does not contain the social security number of any person.
9

10 **PRAYER**

11 WHEREFORE, Plaintiff prays for judgment against the Defendant, as follows:

- 12 a) For general and special damages according to proof;
13 b) Double damages as permitted by NRS 41.1395;
14 b) For economic damages as permitted by law;
15 c) For noneconomic damages as permitted by law;
16 d) For actual and compensatory damages as permitted by law;
17 e) For interest as permitted by law;
18 f) For statutory damages as permitted by law;
19 f) For reasonable attorneys' fees and costs;
20 g) For exemplary damages; and
21 h) For such other relief as is just and proper.

22 Respectfully submitted this Wednesday, March 29, 2023:

23 By: /s/ Luke Busby, Esq.
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**Exhibit List
(Filed Via Patron Media Mail)**

- 1. Video 1**
- 2. Video 2**

Exhibit 1

Hvegholm v. Egan - Video 2

Submitted with Patron Media Mail Submission Form



Exhibit 1

Exhibit 2

Hvegholm v. Egan - Video 2

Submitted with Patron Media Mail Submission Form



Exhibit 2