

Assigned for all purposes to: Spring Street Courthouse, Judicial Officer: Serena Murillo

1 Daniel W. Johnson, State Bar No. 071359  
2 BERGLUND & JOHNSON LAW GROUP  
3 21550 Oxnard Street, Suite 900  
4 Woodland Hills, CA 91367-7100  
5 (818) 992-1500 (818) 992-1541 Fax

6 Attorneys for Plaintiffs

7  
8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **COUNTY OF LOS ANGELES**

10  
11 LARRY CARLON and BONNIE CARLON, ) CASE NO.: **21STCV36657**  
12 Individually, and as the Surviving Heirs, Personal )  
13 Representatives, and/or Successors in Interest of ) **COMPLAINT FOR DAMAGES AND**  
14 Decedent, TORY CARLON, and/or as ) **REQUEST FOR JURY TRIAL**  
15 Administrators or Executors of the ESTATE OF )  
16 TORY CARLON, )  
17 Plaintiffs, ) 1. Assault and Battery  
18 ) 2. Negligence  
19 ) 3. Wrongful Death  
20 v. )  
21 )  
22 ESTATE OF JONATHAN PATRICK TATONE, )  
23 DECEASED; EXECUTORS, )  
24 ADMINISTRATORS, TRUSTEES, AND/OR )  
25 PERSONAL REPRESENTATIVES OF THE )  
26 ESTATE OF JONATHAN PATRICK TATONE, )  
27 and DOES 1 through 200, Inclusive, )  
28 Defendants. )

29 **PRELIMINARY STATEMENT**

30 Plaintiffs, LARRY CARLON and BONNIE CARLON, Individually, and/or as the Surviving  
31 Heirs, Personal Representatives, and/or Successors in Interest of Decedent, TORY CARLON, and/or as  
32 Administrators or Executors of the ESTATE OF TORY CARLON, complain of Defendants, and each of  
33 them, on information and belief, as follows:

- 1           1.     This action arises out of a fatal assault and shooting that occurred on June 1, 2021, at the  
2           Los Angeles County Fire Department Station 81 located at 8710 Sierra Highway, City of  
3           Agua Dulce, State of California.
- 4           2.     On June 1, 2021, after causes of action contained in this Complaint had arisen in his  
5           favor, Decedent, TORY CARLON (“Decedent”), who would have been a Plaintiff in this  
6           action had he lived, died.
- 7           3.     Plaintiffs are, and at all times herein mentioned were, residents of the State of Utah, and  
8           the cause of action arose within the County of Los Angeles, State of California.
- 9           4.     At all times herein mentioned, Defendants, and each of them, were and are residents of,  
10           or were doing business in, the County of Los Angeles, State of California.
- 11           5.     On or about June 1, 2021, after JONATHAN PATRICK TATONE killed the Decedent,  
12           he took his own life and he is deceased. Defendant, ESTATE OF JONATHAN  
13           PATRICK TATONE, DECEASED, and the Executors, Administrators, Trustees, and/or  
14           Personal Representatives of the ESTATE OF JONATHAN PATRICK TATONE, are  
15           therefore named as Defendants. Within the time allowed by law, Plaintiffs filed their  
16           verified claim with the clerk of the above-entitled court and mailed a copy to the personal  
17           representatives of the ESTATE OF JONATHAN PATRICK TATONE. On August 18,  
18           2021, Plaintiffs Creditors Claim was filed by the Court. A copy of the claim so filed and  
19           mailed is attached, marked as Exhibit “1” to this Complaint, and incorporated by this  
20           reference. On September 7, 2021, Defendants, rejected Plaintiffs Creditors Claim. A  
21           copy of the rejection is attached, marked as Exhibit “2” to this Complaint, and  
22           incorporated by this reference.
- 23
- 24
- 25
- 26
- 27
- 28

- 1           6.     At all times herein mentioned each Defendant was the agent, servant, partner, employee  
2                     and joint venturer of each of the remaining Defendants, and was at all times acting within  
3                     the course and scope of said agency, employment and joint venture with the permission  
4                     and consent of each co-Defendant.
- 5
- 6           7.     All corporate Defendants are, and at all times herein mentioned were, corporations doing  
7                     business in the State of California. Furthermore, all corporate Defendants are, and at all  
8                     times mentioned herein were, the alter-egos of each and every other Defendant and there  
9                     exists, and at all times herein mentioned has existed, a unity of interest and ownership  
10                    between said Defendants such that any separateness between them has ceased to exist in  
11                    that the Defendants have completely controlled, dominated, managed, and operated the  
12                    corporate Defendants and have intermingled the assets of each to suit their convenience.  
13                    Further, the corporate Defendants are, and at all times mentioned herein were, mere  
14                    shells, instrumentalities and conduits through which Defendants carried out their business  
15                    in the corporate name while exercising complete control and dominance of the business  
16                    such that individuality or separateness did not exist.
- 17
- 18           8.     At all times herein mentioned, each Defendant authorized and/or ratified the acts of all  
19                     employees, agents and co-Defendants under their supervision and/or control.
- 20
- 21           9.     The facts linking the fictitiously designated Defendants with the causes of action alleged  
22                     herein and/or the true names and capacities, whether individual, corporate, partnership, or  
23                     otherwise of Defendants, DOES 1 through 200, are unknown to Plaintiffs at this time,  
24                     who therefore sue said Defendants by such fictitious names and will seek to amend this  
25                     Complaint to show their true names and/or capacities when ascertained. Said Defendants  
26                     are sued as principals and/or agents, servants and employees of said principals who were  
27  
28

1 performing acts within the course and scope of their authority and employment. Each  
2 and every Defendant designated herein as a "DOE" is responsible in some actionable  
3 manner for the events and happenings referred to herein which proximately caused the  
4 injuries and damages alleged.  
5

6 **FIRST CAUSE OF ACTION BY PLAINTIFFS, LARRY CARLON AND BONNIE CARLON,**  
7 **AGAINST DEFENDANTS, ESTATE OF JONATHAN PATRICK TATONE, DECEASED;**  
8 **EXECUTORS, ADMINISTRATORS, TRUSTEES, AND/OR PERSONAL REPRESENTATIVES**  
9 **OF THE ESTATE OF JONATHAN PATRICK TATONE, AND DOES 1 THROUGH 200,**  
10 **INCLUSIVE, AND EACH OF THEM, FOR ASSAULT AND BATTERY**

11 Plaintiffs, LARRY CARLON and BONNIE CARLON, complain of Defendants, ESTATE OF  
12 JONATHAN PATRICK TATONE, DECEASED; Executors, Administrators, Trustees, and/or Personal  
13 Representatives of the ESTATE OF JONATHAN PATRICK TATONE, and DOES 1 through 200,  
14 Inclusive, and each of them, on information and belief, as follows:

- 15 10. Plaintiffs reallege and incorporate herein by this reference, as though fully set forth,  
16 each and every allegation set forth in the Preliminary Statement.
- 17 11. On June 1, 2021, Defendant, JONATHAN PATRICK TATONE (Deceased), and DOES  
18 1 through 200, Inclusive, intentionally made harmful or offensive contact with  
19 Decedent's body, and shot him multiple times. At no time did Decedent consent to said  
20 contact. A reasonable person in Decedent's situation would have been offended by the  
21 contact.
- 22 12. Said conduct of Defendant, JONATHAN PATRICK TATONE (Deceased), and DOES 1  
23 through 200, Inclusive, was done with the intention to cause a harmful or offensive  
24 contact with Decedent and, in fact, did cause Decedent to sustain fatal injuries and the  
25 damages described herein. Defendant's conduct was a substantial factor in causing  
26 Decedent's harm. By reason of Defendant's acts, Decedent was placed in great fear for  
27  
28

1 his life and physical well-being before being killed by Defendant, JONATHAN  
2 PATRICK TATONE (Deceased).

- 3  
4 13. Defendant, JONATHAN PATRICK TATONE (Deceased), assaulted the Decedent at Los  
5 Angeles County Fire Department Station 81 located at 8710 Sierra Highway, in the City  
6 of Agua Dulce, State of California. The Decedent and Defendant, JONATHAN  
7 PATRICK TATONE (Deceased), shared the same job at Fire Station 81, both serving as  
8 firefighter engineers, but on different shifts. The Defendant had a longstanding job-  
9 related workplace dispute with the Decedent. After a shift change on the morning of June  
10 1, 2021, the Defendant returned to the fire station where he shot and killed the Decedent.  
11  
12 14. The following conduct demonstrated Defendants, JONATHAN PATRICK TATONE'S  
13 and DOES 1 through 200's oppression and/or malice: Without warning or provocation,  
14 Defendant, JONATHAN PATRICK TATONE (Deceased), and DOES 1 through 200,  
15 shot the Decedent multiple times resulting in fatal injuries.  
16  
17 15. Defendants, JONATHAN PATRICK TATONE (Deceased), and DOES 1 through 200,  
18 were aware of the probable dangerous consequences of said conduct and willfully and/or  
19 deliberately failed to avoid those consequences.  
20  
21 16. Defendants, JONATHAN PATRICK TATONE'S conduct, and that of DOES 1 through  
22 200, subjected Decedent to cruel and unjust hardship in conscious disregard of  
23 Decedent's rights.  
24  
25 17. Defendants, JONATHAN PATRICK TATONE (Deceased), and DOES 1 through 200's,  
26 conduct was so vial, base, contemptible, miserable, wretched, or loathsome that it is  
27 looked down upon and despised by ordinary decent people.  
28

- 1           18.    The acts, omissions and conduct of Defendants, JONATHAN PATRICK TATONE  
2                   (Deceased), and DOES 1 through 200, Inclusive, were willful, despicable, wanton,  
3                   malicious, oppressive and in conscious disregard of the rights and safety of others,  
4                   including Decedent herein, thus warranting the assessment of punitive and exemplary  
5                   damages against Defendants.  
6
- 7           19.    As a result of the acts, omissions and conduct of Defendants, and the death of Decedent,  
8                   the Plaintiffs have sustained pecuniary loss, loss of financial support and other losses and  
9                   damages including, but not limited to, loss of love, companionship, comfort, affection,  
10                  society, protection, solace, moral support, attention, services, and support of Decedent.  
11
- 12          20.    As a further result of the acts, omissions and conduct of Defendants, and each of them,  
13                  and the death of the Decedent, the Plaintiffs have incurred funeral and burial expenses, all  
14                  in an amount not known at this time.  
15
- 16          21.    As a further result of the acts, omissions and conduct of Defendants and the death of the  
17                  Decedent, the Plaintiffs have incurred expenses for medical services to the Decedent in  
18                  an amount not known at this time.  
19
- 20          22.    As a further result of the acts, omissions and conduct of Defendants and the death of the  
21                  Decedent, the Plaintiffs have incurred and will continue to incur, various and sundry  
22                  expenses and losses which would not have otherwise been incurred, all in an amount not  
23                  known at this time.  
24
- 25          23.    As a further result of the acts, omissions and conduct of Defendants, and each of them,  
26                  and the death of the Decedent, the Plaintiffs have incurred the loss of benefits that they  
27                  were reasonably certain to have received from the earnings and services of the Decedent.  
28

1           24.     The Plaintiffs are or may be entitled to interest and costs, pursuant to Civil Code §§ 3287,  
2                     3288, and 3291, as well as C.C.P. §§ 1032 and 1033.5, in addition to any other interest  
3                     and costs which Plaintiffs may be awarded.  
4

5     **SECOND CAUSE OF ACTION BY PLAINTIFFS, LARRY CARLON AND BONNIE CARLON,**  
6     **AGAINST DEFENDANTS, ESTATE OF JONATHAN PATRICK TATONE, DECEASED;**  
7     **EXECUTORS, ADMINISTRATORS, TRUSTEES, AND/OR PERSONAL REPRESENTATIVES**  
8     **OF THE ESTATE OF JONATHAN PATRICK TATONE. AND DOES 1 THROUGH 200,**  
9     **INCLUSIVE, AND EACH OF THEM, FOR NEGLIGENCE**

10           Plaintiffs, LARRY CARLON and BONNIE CARLON, Individually, and as the Surviving Heirs  
11     and/or Successors in Interest and/or Personal Representatives of DECEDENT, TORY CARLON, allege  
12     as follows:

13           26.     Plaintiffs reallege and incorporate herein by this reference, as though fully set forth, each  
14     and every allegation contained in the Preliminary Statement.

15           27.     On or about June 1, 2021, Decedent was fatally injured while on property located at or  
16     near 8710 Sierra Highway, in the City of Agua Dulce, County of Los Angeles, State of California.

17           28.     At said time and place, Defendant, JONATHAN PATRICK TATONE (Deceased), and  
18     DOES 1 through 200, Inclusive, and each of them, negligently made physical contact with Decedent and  
19     shot him multiple times, thereby causing Decedent to be killed and Plaintiffs to sustain the injuries and  
20     damages described herein.

21           29.     As a result of the acts, omissions, and conduct of Defendants as alleged herein, TORY  
22     CARLON died on June 1, 2021, from injuries which were incurred in the incident alleged herein.

23           30.     As a result of the acts, omissions and conduct of Defendants, and the death of Decedent,  
24     Plaintiffs have sustained pecuniary loss, financial support and other losses and damages including, but  
25     not limited to, loss of love, companionship, comfort, affection, society, protection, solace, moral  
26     support, attention, services, and support of Decedent.  
27  
28

1           31.     As a further result of the acts, omissions and conduct of Defendants and the death of the  
2 Decedent, Plaintiffs have incurred funeral and burial expenses, all in an amount not known at this time.

3           32.     As a further result of the acts, omissions and conduct of Defendants and the death of the  
4 Decedent, Plaintiffs have incurred expenses for medical services to the Decedent in an amount not  
5 known at this time.  
6

7           33.     As a further result of the acts, omissions and conduct of Defendants and the death of the  
8 Decedent, Plaintiffs have incurred and will continue to incur various and sundry expenses and losses  
9 which would not have otherwise been incurred, all in an amount not known at this time.  
10

11           34.     The Plaintiffs are or may be entitled to interest and costs, pursuant to Civil Code §§  
12 3287(a), 3288, and 3291, as well as Code of Civil Procedure §§ 1032 and 1033.5, in addition to any  
13 other interest and costs which Plaintiffs may be awarded.

14           35.     At all times herein mentioned, the aforesaid acts, omissions and conduct of Defendants,  
15 and each of them, were careless and negligent. Therefore, Defendants are liable for the damages  
16 sustained by Plaintiffs, as alleged herein.  
17

18           36.     The above-described acts and/or omissions of each of the Defendants in this cause of  
19 action caused the injuries and damages alleged in the Prayer for Damages for this cause of action as set  
20 forth hereinafter.  
21

22           **THIRD CAUSE OF ACTION FOR WRONGFUL DEATH ALLEGED BY PLAINTIFFS,**  
23           **LARRY CARLON AND BONNIE CARLON, AS THE SURVIVING HEIRS OF DECEDENT,**  
24           **TORY CARLON, AGAINST DEFENDANTS, ESTATE OF JONATHAN PATRICK TATONE,**  
25           **DECEASED; EXECUTORS, ADMINISTRATORS, TRUSTEES, AND/OR PERSONAL**  
26           **REPRESENTATIVES OF THE ESTATE OF JONATHAN PATRICK TATONE, AND DOES 1**  
27           **THROUGH 200**

28           Plaintiffs, LARRY CARLON and BONNIE CARLON, as the surviving heirs and/or dependents  
of DECEDENT, TONY CARLON, allege as follows:

1           37.     Plaintiffs reallege and incorporate herein by this reference, as though fully set forth, each  
2 and every allegation contained in the Preliminary Statement and in the Second Cause of Action.

3           38.     A cause of action for wrongful death (C.C.P. §§ 377.60-377.62) arose on the death of the  
4 Decedent and it is vested in the Decedent's heirs, which include his parents, LARRY CARLON and  
5 BONNIE CARLON, who were financially dependent on DECEDENT.  
6

7           39.     Plaintiffs in this wrongful death action are entitled to recover damages for their own  
8 pecuniary loss, which include (1) the loss of the Decedent's financial support, services, training and  
9 advice, and (2) the pecuniary value of the Decedent's society and companionship.  
10

11           40.     The acts, omissions and conduct of Defendants, JONATHAN PATRICK TATONE  
12 (DECEASED), and DOES 1 through 200, and each of them, as alleged herein, caused or contributed to  
13 the death of TORY CARLON on June 1, 2021.

14           41.     As a direct and proximate result of the foregoing, the Decedent died and his heirs have  
15 been deprived of his financial support, services, training and advice, as well as his care, comfort, society  
16 and companionship to their general damage according to proof.  
17

18           42.     As a result of the acts, omissions, and conduct of Defendants, and the death of the  
19 Decedent, Plaintiffs have sustained pecuniary loss, loss of financial support and other losses and  
20 damages including, but not limited to loss of love, companionship, comfort, care, assistance, affection,  
21 society, protection, solace, moral support, attention, services, and support of Decedent.  
22

23           43.     As a further result of the acts, omissions, and conduct of Defendants, and each of them,  
24 and the death of the Decedent, Plaintiffs have incurred funeral and burial expenses in an amount not  
25 known at this time.  
26  
27  
28





1 **ALL CAUSES OF ACTION**

2 18. For costs incurred herein; and

3 19. For such other and further relief as the Court may deem proper and just under the  
4 circumstances.  
5

6 DATED: October 5, 2021

BERGLUND & JOHNSON  
LAW GROUP

7  
8  
9 

10 DANIEL W. JOHNSON  
11 Attorney for Plaintiffs  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 **DEMAND FOR JURY TRIAL**

2

3 Plaintiffs hereby demand a trial by jury.


4

5 DATED: October 5, 2021

BERGLUND & JOHNSON  
LAW GROUP

6

7

8 

9 \_\_\_\_\_

10 DANIEL W. JOHNSON  
Attorney for Plaintiffs

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

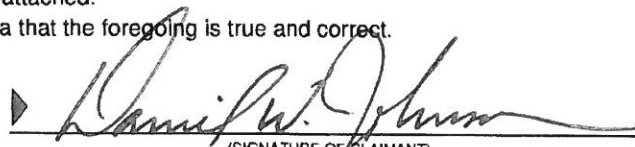
EXHIBIT "1"

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Daniel W. Johnson, Esq. SBN: 071359 BERGLUND & JOHNSON LAW GROUP 21550 Oxnard Street, Suite 900, Woodland Hills, CA 91367	TELEPHONE AND FAX NOS.: ph: (818) 992-1500 fax: (818) 992-1541	FOR COURT USE ONLY
ATTORNEY FOR (Name): LARRY CARLON and BONNIE CARLON <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b> STREET ADDRESS: 312 North Spring Street MAILING ADDRESS: 312 North Spring Street CITY AND ZIP CODE: Los Angeles, 90012 BRANCH NAME: Spring Street Courthouse		
ESTATE OF (Name): JONATHAN P. TATONE   DECEDENT		
<b>CREDITOR'S CLAIM</b>		CASE NUMBER: 21STPB06115

You must file this claim with the court clerk at the court address above before the LATER of (a) four months after the date letters (authority to act for the estate) were first issued to the personal representative, or (b) sixty days after the date the *Notice of Administration* was given to the creditor, if notice was given as provided in Probate Code section 9051. You must also mail or deliver a copy of this claim to the personal representative and his or her attorney. A proof of service is on the reverse.  
**WARNING:** Your claim will in most instances be invalid if you do not properly complete this form, file it on time with the court, and mail or deliver a copy to the personal representative and his or her attorney.

1. Total amount of the claim: \$ 40,000,000.00
  2. Claimant (name): Daniel W. Johnson, Esq, Berglund & Johnson Law Group on behalf of Larry Carlon and Bonnie Carlon.
    - a.  an individual
    - b.  an individual or entity doing business under the fictitious name of (specify):
    - c.  a partnership. The person signing has authority to sign on behalf of the partnership.
    - d.  a corporation. The person signing has authority to sign on behalf of the corporation.
    - e.  other (specify):
  3. Address of claimant (specify): 21550 Oxnard Street, Suite 900  
Woodland Hills, CA 91367
  4. Claimant is  the creditor  a person acting on behalf of creditor (state reason): Daniel W. Johnson represents creditors Larry Carlon and Bonnie Carlon in a Wrongful Death claim against the Executor, Administrator, and/or Trustee of the aforementioned Estate.
  5.  Claimant is  the personal representative  the attorney for the personal representative.
  6. I am authorized to make this claim which is just and due or may become due. All payments on or offsets to the claim have been credited. Facts supporting the claim are  on reverse  attached.
- I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.  
 Date: August 18, 2021

Daniel W. Johnson, Esq.  
 (TYPE OR PRINT NAME AND TITLE)

  
 (SIGNATURE OF CLAIMANT)

**INSTRUCTIONS TO CLAIMANT**

- A. On the reverse, itemize the claim and show the date the service was rendered or the debt incurred. Describe the item or service in detail, and indicate the amount claimed for each item. Do not include debts incurred after the date of death, except funeral claims.
- B. If the claim is not due or contingent, or the amount is not yet ascertainable, state the facts supporting the claim.
- C. If the claim is secured by a note or other written instrument, the original or a copy must be attached (state why original is unavailable.) If secured by mortgage, deed of trust, or other lien on property that is of record, it is sufficient to describe the security and refer to the date or volume and page, and county where recorded. (See Prob. Code, § 9152.)
- D. Mail or take this original claim to the court clerk's office for filing. If mailed, use certified mail, with return receipt requested.
- E. Mail or deliver a copy to the personal representative and his or her attorney. Complete the *Proof of Mailing or Personal Delivery* on the reverse.
- F. The personal representative or his or her attorney will notify you when your claim is allowed or rejected.
- G. Claims against the estate by the personal representative and the attorney for the personal representative must be filed within the claim period allowed in Probate Code section 9100. See the notice box above.

(Continued on reverse)

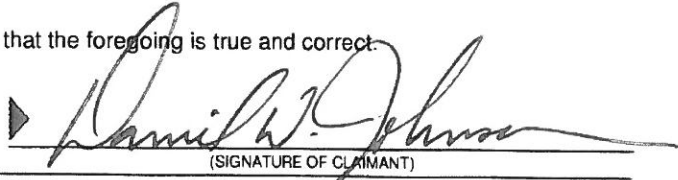
Date of item	FACTS SUPPORTING THE CREDITOR'S CLAIM <input type="checkbox"/> See attachment (if space is insufficient) Item and supporting facts	Amount claimed
June 1, 2021	<p>On June 1, 2021, Tory Carlon, a 44-year-old fire specialist who drove the fire engine, was shot several times by Jonathan Patrick Tatone. Tragically, Tory Carlon died as a result of his gun shot injuries.</p> <p>Larry Carlon has a claim for the wrongful death of his son, Tory Carlon. Bonnie Carlon has a claim for the wrongful death of her son, Tory Carlon.</p> <p>A Los Angeles Superior Court Complaint will be filed following the filing of this Creditor's Claim.</p>	<p style="text-align: right;">20,000,000.00 20,000,000.00</p>
<b>TOTAL:</b>		<b>\$ 40,000,000.00</b>

**PROOF OF  MAILING  PERSONAL DELIVERY TO PERSONAL REPRESENTATIVE**  
*(Be sure to mail or take the original to the court clerk's office for filing)*

1. I am the creditor or a person acting on behalf of the creditor. At the time of mailing or delivery I was at least 18 years of age.
2. My residence or business address is (specify): Berglund & Johnson Law Group, 25510 Oxnard Street, Suite 900, Woodland Hills, CA 91367
3. I mailed or personally delivered a copy of this *Creditor's Claim* to the personal representative as follows (check either a or b below):
  - a.  **Mail.** I am a resident of or employed in the county where the mailing occurred.
    - (1) I enclosed a copy in an envelope AND
      - (a)  **deposited** the sealed envelope with the United States Postal Service with the postage fully prepaid.
      - (b)  **placed** the envelope for collection and mailing on the date and at the place shown in items below following our ordinary business practices. I am readily familiar with this business' practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
    - (2) The envelope was addressed and mailed first-class as follows:
      - (a) Name of personal representative served: Cristian R. Arrieta, Esq. on behalf of Priscilla Garza-Stewart at
      - (b) Address on envelope: Lowthorp, Richards, McMillan, Miller & Templeman, P.C.,  
300 E. Esplanade Drive, Suite 850, Oxnard, California 93036
      - (c) Date of mailing: August 18, 2021
      - (d) Place of mailing (city and state): Woodland Hills, California
  - b.  **Personal delivery.** I personally delivered a copy of the claim to the personal representative as follows:
    - (1) Name of personal representative served:
    - (2) Address where delivered:
    - (3) Date delivered:
    - (4) Time delivered:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.  
 Date: August 18, 2021

Daniel W. Johnson, Esq., Berglund & Johnson Law Group  
 (TYPE OR PRINT NAME OF CLAIMANT)

  
 (SIGNATURE OF CLAIMANT)

# EXHIBIT "2"

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): — Cristian R. Arrieta 236837 Lowthorp Richards et al. 300 E. Esplanade Drive, Suite 850 Oxnard, CA 93036 TELEPHONE NO.: (805) 981-8555 FAX NO. (Optional): (805) 983-1967	FOR COURT USE ONLY
E-MAIL ADDRESS (Optional): carrieta@lrmmt.com ATTORNEY FOR (Name): PRISCILLA GARZA-STEWART	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 N. HILL STREET MAILING ADDRESS: 111 N. HILL STREET CITY AND ZIP CODE: LOS ANGELES, CA 90012-3014 BRANCH NAME: STANLEY MOSK COURTHOUSE	
ESTATE OF (Name): JONATHAN P. TATONE	
DECEDENT	
ALLOWANCE OR REJECTION OF CREDITOR'S CLAIM	CASE NUMBER: 21STPB06115

**NOTE TO PERSONAL REPRESENTATIVE**  
 Attach a copy of the creditor's claim to this form. If approval or rejection by the court is not required, do not include any pages attached to the creditor's claim.

**PERSONAL REPRESENTATIVE'S ALLOWANCE OR REJECTION**

1. Name of creditor (specify): Larry Carlon and Bonnie Carlon
2. The claim was filed on (date): August 18, 2021
3. Date of first issuance of letters: August 17, 2021
4. Date of Notice of Administration: August 24, 2021
5. Date of decedent's death: June 1, 2021
6. Estimated value of estate: \$ 720,000.00
7. Total amount of the claim: \$ 40,000,000.00
8.  Claim is allowed for: \$ \_\_\_\_\_ (The court must approve certain claims before they are paid.)
9.  Claim is rejected for: \$ 40,000,000.00 (A creditor has 90 days to act on a rejected claim.\* See box below.)
10. Notice of allowance or rejection given on (date): September 7, 2021
11.  The personal representative is authorized to administer the estate under the Independent Administration of Estates Act.

Date: September 7, 2021

PRISCILLA GARZA-STEWART  
 (TYPE OR PRINT NAME OF PERSONAL REPRESENTATIVE)

▶   
 (SIGNATURE OF PERSONAL REPRESENTATIVE)

**NOTICE TO CREDITOR ON REJECTED CLAIM**

From the date that notice of rejection is given, you must act on the rejected claim (e.g., file a lawsuit) as follows:

1. Claim due: within 90 days\* after the notice of rejection.
2. Claim not due: within 90 days\* after the claim become due.

\* The 90-day period mentioned above may not apply to your claim because some claims are not treated as creditors' claims or are subject to special statutes of limitations, or for other legal reasons. You should consult with an attorney if you have any questions about or are unsure of your rights and obligations concerning your claim.

**COURT'S APPROVAL OR REJECTION**

12.  Approved for: \$ \_\_\_\_\_
13.  Rejected for: \$ \_\_\_\_\_

Date: \_\_\_\_\_

14. Number of pages attached: \_\_\_\_\_

\_\_\_\_\_  
 SIGNATURE OF JUDICIAL OFFICER  
 SIGNATURE FOLLOWS LAST ATTACHMENT

(Proof of Mailing or Personal Delivery on reverse)

ESTATE OF (Name): JONATHAN P. TATONE  DECEDENT	CASE NUMBER: 21STPB06115
---	-----------------------------

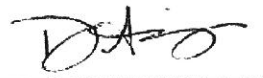
PROOF OF  MAILING  PERSONAL DELIVERY TO CREDITOR

1. At the time of mailing or personal delivery I was at least 18 years of age and not a party to this proceeding.
2. My residence or business address is (*specify*):  
300 E. Esplanade Drive, Suite 850  
Oxnard, CA 93036
3. I mailed or personally delivered a copy of the *Allowance or Rejection of Creditor's Claim* as follows (*complete either a or b*):
  - a.  **Mail.** I am a resident of or employed in the county where the mailing occurred.
    - (1) I enclosed a copy in an envelope AND
      - (a)  deposited the sealed envelope with the United States Postal Service with the postage fully prepaid.
      - (b)  placed the envelope for collection and mailing on the date and at the place shown in items below following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collecting and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
    - (2) The envelope was addressed and mailed first-class as follows:
      - (a) Name of creditor served: Daniel W. Johnson
      - (b) Address on envelope: BERGLUND & JOHNSON LAW GROUP  
21550 Oxnard Street, Suite 900  
Woodland Hills, CA 91367
      - (c) Date of mailing: September 7, 2021
      - (d) Place of mailing (*city and state*): Oxnard, CA
  - b.  **Personal delivery.** I personally delivered a copy to the creditor as follows:
    - (1) Name of creditor served:
    - (2) Address where delivered:
    - (3) Date delivered:
    - (4) Time delivered:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: September 7, 2021

Darlene Arias  
(TYPE OR PRINT NAME OF DECLARANT)

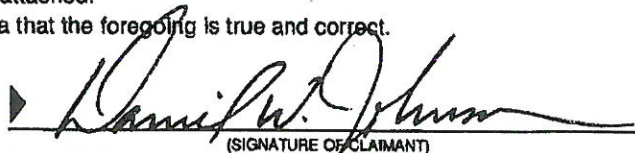
  
(SIGNATURE OF DECLARANT)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Daniel W. Johnson, Esq. SBN: 071359 BERGLUND & JOHNSON LAW GROUP 21550 Oxnard Street, Suite 900, Woodland Hills, CA 91367	TELEPHONE AND FAX NOS.: ph: (818) 992-1500 fax: (818) 992-1541	FOR COURT USE ONLY
ATTORNEY FOR (Name): LARRY CARLON and BONNIE CARLON SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 312 North Spring Street MAILING ADDRESS: 312 North Spring Street CITY AND ZIP CODE: Los Angeles, 90012 BRANCH NAME: Spring Street Courthouse		
ESTATE OF (Name): JONATHAN P. TATONE DECEDENT		
CREDITOR'S CLAIM		CASE NUMBER: 21STPB06115

You must file this claim with the court clerk at the court address above before the LATER of (a) four months after the date letters (authority to act for the estate) were first issued to the personal representative, or (b) sixty days after the date the *Notice of Administration* was given to the creditor, if notice was given as provided in Probate Code section 9051. You must also mail or deliver a copy of this claim to the personal representative and his or her attorney. A proof of service is on the reverse.  
**WARNING:** Your claim will in most instances be invalid if you do not properly complete this form, file it on time with the court, and mail or deliver a copy to the personal representative and his or her attorney.

- Total amount of the claim: \$ 40,000,000.00
- Claimant (name): Daniel W. Johnson, Esq, Berglund & Johnson Law Group on behalf of Larry Carlon and Bonnie Carlon.
  - an individual
  - an individual or entity doing business under the fictitious name of (specify):
  - a partnership. The person signing has authority to sign on behalf of the partnership.
  - a corporation. The person signing has authority to sign on behalf of the corporation.
  - other (specify):
- Address of claimant (specify): 21550 Oxnard Street, Suite 900  
Woodland Hills, CA 91367
- Claimant is  the creditor  a person acting on behalf of creditor (state reason): Daniel W. Johnson represents creditors Larry Carlon and Bonnie Carlon in a Wrongful Death claim against the Executor, Administrator, and/or Trustee of the aforementioned Estate.
- Claimant is  the personal representative  the attorney for the personal representative.
- I am authorized to make this claim which is just and due or may become due. All payments on or offsets to the claim have been credited. Facts supporting the claim are  on reverse  attached.  
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.  
Date: August 18, 2021

Daniel W. Johnson, Esq.  
(TYPE OR PRINT NAME AND TITLE)

  
(SIGNATURE OF CLAIMANT)

### INSTRUCTIONS TO CLAIMANT

- On the reverse, itemize the claim and show the date the service was rendered or the debt incurred. Describe the item or service in detail, and indicate the amount claimed for each item. Do not include debts incurred after the date of death, except funeral claims.
- If the claim is not due or contingent, or the amount is not yet ascertainable, state the facts supporting the claim.
- If the claim is secured by a note or other written instrument, the original or a copy must be attached (state why original is unavailable.) If secured by mortgage, deed of trust, or other lien on property that is of record, it is sufficient to describe the security and refer to the date or volume and page, and county where recorded. (See Prob. Code, § 9152.)
- Mail or take this original claim to the court clerk's office for filing. If mailed, use certified mail, with return receipt requested.
- Mail or deliver a copy to the personal representative and his or her attorney. Complete the *Proof of Mailing or Personal Delivery* on the reverse.
- The personal representative or his or her attorney will notify you when your claim is allowed or rejected.
- Claims against the estate by the personal representative and the attorney for the personal representative must be filed within the claim period allowed in Probate Code section 9100. See the notice box above.

(Continued on reverse)

**CREDITOR'S CLAIM**  
(Probate)

ESTATE OF (Name): JONATHAN P. TATONE

DECEDENT

CASE NUMBER:  
21STPB06115

**FACTS SUPPORTING THE CREDITOR'S CLAIM**

See attachment (if space is insufficient)

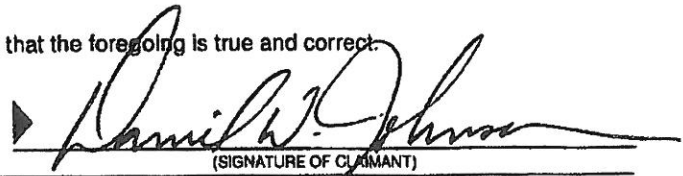
Date of Item	Item and supporting facts	Amount claimed
June 1, 2021	<p>On June 1, 2021, Tory Carlon, a 44-year-old fire specialist who drove the fire engine, was shot several times by Jonathan Patrick Tatone. Tragically, Tory Carlon died as a result of his gun shot injuries.</p> <p>Larry Carlon has a claim for the wrongful death of his son, Tory Carlon. Bonnie Carlon has a claim for the wrongful death of her son, Tory Carlon.</p> <p>A Los Angeles Superior Court Complaint will be filed following the filing of this Creditor's Claim.</p>	<p>20,000,000.00 20,000,000.00</p> <p><b>TOTAL: \$ 40,000,000.00</b></p>

**PROOF OF  MAILING  PERSONAL DELIVERY TO PERSONAL REPRESENTATIVE**  
(Be sure to mail or take the original to the court clerk's office for filing)

1. I am the creditor or a person acting on behalf of the creditor. At the time of mailing or delivery I was at least 18 years of age.
2. My residence or business address is (specify): Berglund & Johnson Law Group, 25510 Oxnard Street, Suite 900, Woodland Hills, CA 91367
3. I mailed or personally delivered a copy of this *Creditor's Claim* to the personal representative as follows (check either a or b below):
  - a.  **Mail.** I am a resident of or employed in the county where the mailing occurred.
    - (1) I enclosed a copy in an envelope AND
      - (a)  **deposited** the sealed envelope with the United States Postal Service with the postage fully prepaid.
      - (b)  **placed** the envelope for collection and mailing on the date and at the place shown in items below following our ordinary business practices. I am readily familiar with this business' practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
    - (2) The envelope was addressed and mailed first-class as follows:
      - (a) Name of personal representative served: Cristian R. Arrieta, Esq. on behalf of Priscilla Garza-Stewart at
      - (b) Address on envelope: Lowthorp, Richards, McMillan, Miller & Templeman, P.C.,  
300 E. Esplanade Drive, Suite 850, Oxnard, California 93036
      - (c) Date of mailing: August 18, 2021
      - (d) Place of mailing (city and state): Woodland Hills, California
  - b.  **Personal delivery.** I personally delivered a copy of the claim to the personal representative as follows:
    - (1) Name of personal representative served:
    - (2) Address where delivered:
    - (3) Date delivered:
    - (4) Time delivered:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.  
Date: August 18, 2021

Daniel W. Johnson, Esq., Berglund & Johnson Law Group  
(TYPE OR PRINT NAME OF CLAIMANT)

  
(SIGNATURE OF CLAIMANT)

SEP 09 2021