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22 **CLARK COUNTY NEVADA**

23 **DISTRICT COURT**

24 MARIAH MAAS, as Special Administrator
25 for the Estate of Tiffany Slatsky, MARTIN
26 SLATSKY, as parent and legal guardian of
27 CADE SLATSKY, a minor,

28 Plaintiffs,

v.

CHRISTOPHER CANDITO, an individual,
ANDREW CLAPPER, an individual,
NICHOLAS ROBISON, an individual,
ANDREW STOCKER, an individual,
STEVEN HONSOWETZ, an individual,
CITY OF NORTH LAS VEGAS, a
municipality; NORTH LAS VEGAS FIRE
DEPARTMENT, a City of North Las Vegas
agency; GNLV, LLC *dba* GOLDEN
NUGGET HOTEL & CASINO, a Domestic
Limited-Liability Company; DOMAIN
PROPERTY OWNER LLC; a Foreign
Limited-Liability Company; OAKTREE

Case No.: A-22-847914-C

Dept. No.: 1

**COMPLAINT AND DEMAND FOR
JURY TRIAL**

CAPITAL MANAGEMENT L.P.; a
Foreign Limited Partnership; DOE
DEFENDANTS I through XX, and ROE
CORPORATIONS I through X, inclusive,
Defendants.

Plaintiffs allege the following against Defendants:

INTRODUCTION

1. This action seeks compensatory and punitive damages from Defendants for violation of various rights under the United States Constitution and state law in connection with the death of Tiffany Slatsky (“Decedent”).

PARTIES

2. At all relevant times, Tiffany Slatsky (“Decedent”) was a resident of Clark County in the State of Nevada.

3. Plaintiff CADE SLATSKY is Decedent’s heir.

4. At all relevant times, Plaintiff CADE SLATSKY was and is a resident of Clark County in the State of Nevada. Additionally, MARTIN SLATSKY, as parent and legal guardian of CADE SLATSKY was and is a resident of Clark County in the State of Nevada.

5. MARIAH MAAS as Special Administrator for the Estate of Tiffany Slatsky is a resident of Clark County in the State of Nevada.

6. Upon information and belief, at all relevant times, Defendants CHRISTOPHER CANDITO, ANDREW CLAPPER, NICHOLAS ROBISON, STEVEN HONSOWETZ, ANDREW STOCKER, and DOE DEFENDANTS were and are residents of Clark County in the State of Nevada.

7. Upon information and belief, at all relevant times, Defendants CHRISTOPHER CANDITO, ANDREW CLAPPER, NICHOLAS ROBISON, STEVEN HONSOWETZ, ANDREW STOCKER, and DOE DEFENDANTS were employees of Defendant CITY OF NORTH LAS VEGAS within the North Las Vegas Fire Department.

8. Defendant CITY OF NORTH LAS VEGAS (“CNLV”) was and is a municipality within the State of Nevada.

1 9. Defendant NORTH LAS VEGAS FIRE DEPARTMENT (“NLVFD”) was and is
2 an agency governed and funded by the City of North Las Vegas within the State of Nevada.

3 10. At all relevant times, CNLV was the employer of Defendants CHRISTOPHER
4 CANDITO, ANDREW CLAPPER, NICHOLAS ROBISON, STEVEN HONSOWETZ,
5 ANDREW STOCKER, and DOE DEFENDANTS, who were North Las Vegas Fire Department
6 firefighters/EMTs. Additionally, upon information and belief, Defendants ANDREW
7 CLAPPER, NICHOLAS ROBISON, STEVEN HONSOWETZ, ANDREW STOCKER, and
8 DOE DEFENDANTS were managerial, supervisory, and policymaking employees of CNLV.

9 11. At all relevant times, Defendants CHRISTOPHER CANDITO, ANDREW
10 CLAPPER, NICHOLAS ROBISON, STEVEN HONSOWETZ, ANDREW STOCKER, and
11 DOE DEFENDANTS were duly authorized employees and agents of CNLV, who were acting
12 under color of law within the course and scope of their respective duties as North Las Vegas Fire
13 Department firefighter/EMTs, superior officers, supervisors, and/or managers and with the
14 complete authority and ratification of their principal, Defendant CNLV.

15 12. At all relevant times, Defendants CHRISTOPHER CANDITO, ANDREW
16 CLAPPER, NICHOLAS ROBISON, STEVEN HONSOWETZ, ANDREW STOCKER, and
17 DOE DEFENDANTS were duly appointed officers and/or employees or agents of CNLV,
18 subject to oversight and supervision by CNLV’s elected and non-elected officials.

19 13. In doing the acts and failing to act as hereinafter described, Defendants
20 CHRISTOPHER CANDITO, ANDREW CLAPPER, NICHOLAS ROBISON, STEVEN
21 HONSOWETZ, ANDREW STOCKER, and DOE DEFENDANTS were acting on the implied
22 and/or actual permission and consent of CNLV.

23 14. Defendant GNLV, LLC *dba* GOLDEN NUGGET HOTEL & CASINO is a
24 Domestic Limited-Liability Company registered to do business in Clark County, Nevada.

25 15. At all relevant times, Defendant DOMAIN PROPERTY OWNER LLC was a
26 Foreign Limited-Liability Company registered to do business in Clark County, Nevada, and was
27 the owner and/or manager of the apartment complex property located at 831 Coronado Center
28 Drive, #1203, Henderson, NV 89052.

1 16. At all relevant times, Defendant OAKTREE CAPITAL MANAGEMENT L.P.
2 was a Foreign Limited Partnership registered to do business in Clark County, Nevada, and was
3 the owner and/or manager of the apartment complex property located at 831 Coronado Center
4 Drive, #1203, Henderson, NV 89052.

5 17. Pursuant to NRCP 10(a) and Nurenberger Hercules-Werke GMBH v. Virostek,
6 107 Nev. 873, 822 P.2d 1100 (1991), the identity of resident and non-resident defendants
7 designated herein as DOE DEFENDANTS I through XX, and ROE CORPORATIONS I through
8 X, are presently unknown to Plaintiff. Upon information and belief these DOE and ROE
9 defendants, and each of them, were involved in the initiation, approval, support, or execution of
10 one or more of the wrongful acts or omissions upon which this action is premised, or of similar
11 actions directed against Plaintiff about which Plaintiff is presently unaware, and which directly
12 and proximately caused injury and damages to Plaintiff, including but not limited to:
13 unreasonably owning, maintaining, operating, entrusting, or repairing any vehicle that caused
14 injury to Plaintiff. ROE and DOE defendants also include but are not limited to: a) presently
15 unknown employers of defendant(s) who are responsible for the acts of their employees under
16 NRS 41.745, or under the doctrine of *respondeat superior*; b) owners of the defendant's vehicle
17 who are liable under NRS 41.440, or the family purpose doctrine; c) persons involved in the
18 design, manufacturer distribution and placement into the stream of commerce of an unreasonably
19 dangerous and unfit product that caused damages to Plaintiff, and which persons are strictly liable
20 under products liability law; and, d) known witnesses whose particular culpability is not known
21 at this time but may be made known once true facts are learned. As the specific identities of
22 these parties are revealed through discovery, the DOE or ROE appellation will be replaced to
23 identify these parties by their true names and capacities. Hereinafter reference to Defendant or
24 Defendants includes DOES and ROES and each of them.

25 18. That upon information and belief, Defendants, inclusive of DOES and ROES, and
26 each of them, at all relevant times, were the owner, partner, servant, officer, agent, employer
27 and/or employee of the other, and each of them, and were at all relevant times acting within the
28

1 scope and performance of said partnership, agency, master/servant, and employment
2 relationship.

3 19. This Court has jurisdiction over this matter under NRS 14.065 and NRS 4.370(1),
4 as the facts alleged occurred in Clark County, Nevada and involve an amount in controversy in
5 excess of \$15,000.00. Venue is proper pursuant to NRS 13.040, as Defendants, or any one of
6 them resided in Clark County, Nevada at the commencement of this action.

7 **FACTUAL ALLEGATIONS COMMON TO ALL CAUSES OF ACTION**

8 20. Upon information and belief, in the weeks prior to February 21, 2020, a number
9 of North Las Vegas Fire Department Employees, including Defendants CHRISTOPHER
10 CANDITO, ANDREW CLAPPER, NICHOLAS ROBISON, STEVEN HONSOWETZ,
11 ANDREW STOCKER, and DOE DEFENDANTS, planned a party that would take place at the
12 GOLDEN NUGGET HOTEL & CASINO on February 21, 2020.

13 21. Upon information and belief, Defendants CHRISTOPHER CANDITO,
14 ANDREW CLAPPER, NICHOLAS ROBISON, STEVEN HONSOWETZ, and ANDREW
15 STOCKER, and DOE DEFENDANTS engaged in the purchase, trade, and sale of the illicit drugs
16 that were to be used and distributed at the February 21, 2020 party.

17 22. That on or about February 21, 2020, Decedent, Tiffany Slatsky, attended the party
18 at GOLDEN NUGGET HOTEL & CASINO, with her husband, Defendant CHRISTOPHER
19 CANDITO, who was employed as a North Las Vegas firefighter at the time.

20 23. Also in attendance were a number of North Las Vegas firefighters, including, but
21 not limited to, Defendants ANDREW CLAPPER, NICHOLAS ROBISON, STEVEN
22 HONSOWETZ and ANDREW STOCKER.

23 24. At the time of the party, Defendant NICOLAS ROBISON was a North Las Vegas
24 Fire Captain.

25 25. Upon information and belief, attendees at that party, including Decedent, were
26 engaging in the use of illicit drugs including, but not limited to, morphine, cocaine, and ecstasy.

27 26. Upon information and belief, other firefighters and/or employees of Defendant
28 CNLV were also in attendance at the February 21, 2020 party, and were involved in purchasing,

1 selling, or otherwise providing the illicit drugs used at that party and are hereby designated as
2 DOE DEFENDANTS until such time that their identities can be verified.

3 27. Upon information and belief, CNLV superior officers and/or employees within
4 the North Las Vegas Fire Department had knowledge of illicit drug dealings among the
5 department employees, and either participated in, condoned, or otherwise failed to respond to
6 such activities.

7 28. Upon information and belief, Defendants CHRISTOPHER CANDITO,
8 ANDREW CLAPPER, NICHOLAS ROBISON, STEVEN HONSOWETZ, and ANDREW
9 STOCKER, and DOE DEFENDANTS were stationed at North Las Vegas Fire Station 51, which
10 had a reputation of being a “party station” with numerous employees engaged in the purchase,
11 sale, trade, and/or use of steroids and illicit drugs.

12 29. At all relevant times, Defendants CANDITO, CLAPPER, ROBISON,
13 HONSOWETZ, STOCKER and DOE DEFENDANTS were duly appointed employees or agents
14 of CNLV and/or NLVFD, subject to oversight and supervision by CNLV and/or NLVFD elected
15 and non-elected officials.

16 30. Upon information and belief, the February 21, 2020 hotel party lasted through the
17 night and Decedent and Defendant CANDITO did not leave said party until sometime between
18 5:00 and 7:00am on February 22, 2020.

19 31. After leaving the February 21, 2020 party, Decedent and Defendant CANDITO
20 returned to their residence at 831 Coronado Center Drive, #1203, Henderson, NV 89052.

21 32. Upon information and belief, on February 22, 2020, after returning home from the
22 party, Defendant CANDITO provided Decedent with morphine pills that had been obtained
23 through dealings with Defendants CLAPPER, ROBISON, HONSOWETZ, STOCKER and DOE
24 DEFENDANTS.

25 33. Shortly after decedent had ingested the subject morphine pills, she began slurring
26 her words and acting irregularly. Defendant CANDITO, based on his training in emergency
27 medical care as a North Las Vegas firefighter, believed that decedent was experiencing overdose
28 symptoms from the subject morphine pills.

1 34. On or about February 22, 2020, Defendant CANDITO took decedent from their
2 residence in Henderson to North Las Vegas Fire Station 51, upon recognizing the overdose
3 symptoms she was exhibiting. Rather than taking decedent to the nearest hospital, which was
4 only minutes away, Defendant CANDITO took decedent to his fire station, located
5 approximately 23 miles away, to administer his own medical care.

6 35. Defendant CANDITO used his employee key card to enter North Las Vegas Fire
7 Station 51, and retrieve Narcan, Zofran, and IV equipment from the station's medical supplies,
8 so that he could administer those medications to Decedent.

9 36. If Defendant CANDITO was not a CNLV employee and North Las Vegas
10 firefighter at Station 51, he would not have been able to enter the building and access those
11 medical supplies.

12 37. Upon information and belief, the CNLV and NLVFD's regulation and oversight
13 of its employees and medical supply stock were so woefully inadequate that Defendant
14 CANDITO was permitted to enter Station 51 and have unfettered access to dangerous
15 medications and other medical supplies without question or repercussion.

16 38. After retrieving those medications and medical supplies, Defendant CANDITO
17 went back to his vehicle where he had left Decedent, started an IV in Decedent's right arm, and
18 administered approximately two milligrams of Narcan. In doing so, Defendant CANDITO acted
19 under color of law as a CNLV employee and North Law Vegas firefighter/EMT. The ordinary
20 private citizen would not have the requisite knowledge, training, and experience to administer an
21 IV of Narcan, nor would an ordinary citizen have had access to the medical supplies, which
22 Defendant CANDITO obtained at Station 51 and by virtue of his position as a CNLV employee
23 and North Las Vegas firefighter/EMT.

24 39. Defendant CANDITO had been trained on details related to the use,
25 administration, and other specifics related to Narcan as part of his training for the North Las
26 Vegas Fire Department.

1 40. After administering Narcan in his vehicle, Defendant CANDITO drove decedent
2 back to their residence and Decedent and Defendant CANDITO fell asleep at approximately
3 2:00am on February 23, 2020.

4 41. Upon information and belief, firefighters and medics are trained that Narcan is
5 only a “temporary blocker” and it is still necessary to transport an individual suspected to be
6 overdosing to a hospital for further evaluation and monitoring. Accordingly, Defendant
7 CANDITO either was not properly trained with regards to Narcan administration or he violated
8 his training with regards to administering Narcan and then returning home, rather than to a
9 hospital.

10 42. At approximately 8:30am on February 23, 2020, Defendant CANDITO awoke
11 and found Decedent unresponsive. At that time, Defendant CANDITO had 911 contacted and
12 emergency medical personnel were dispatched to the subject residence.

13 43. Prior to paramedics arriving, Defendant CANDITO carried Decedent out to a
14 nearby curb, and awaited the arrival of medical personnel. When paramedics arrived, they
15 initially took Decedent back into the residence before then transporting her to the hospital where
16 she was ultimately pronounced dead on February 23, 2020.

17 44. Upon information and belief, Decedent died as a result of multiple drug
18 intoxication, including morphine.

19 45. Thereafter, Henderson PD conducted an investigation of the incident, and
20 specifically, the subject residence. Various substances were retrieved from the scene, including
21 psilocybin, MDMA, morphine, cocaine, and tadalafil. Additional medical supplies, including
22 syringes and saline for intravenous use, were also located inside of the subject residence.

23 46. Defendants’ CANDITO, CLAPPER, ROBISON, HONSOWETZ, STOCKER
24 and DOE DEFENDANTS misuse of power, as described above, possessed by virtue of their
25 employment with the CNLV and NLVFD, is action taken under the color of state law. Indeed, a
26 defendant in a 42 U.S.C. section 1983 lawsuit acts under the color of state law when he abuses
27 the position given to him by the state.

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FIRST CAUSE OF ACTION

**Denial of Medical Care (42 U.S.C. § 1983) against Defendant CANDITO and Defendant
CNLV and Defendant NLVFD**

47. Plaintiffs repeat and re-allege each and every allegation in all preceding paragraphs of this Complaint with the same force and effect as if fully set forth herein.

48. At all relevant times, CANDITO was acting under color of state law. Further, at all relevant times, CANDITO was acting within his official capacity, and the CNLV and NLVFD were a moving force behind the violations of Decedent's constitutional rights, including the right to timely medical care under the Fourth Amendment. When CANDITO provided illicit morphine pills to Decedent and then denied Decedent timely medical care, he exercised power possessed by virtue of state law and made possible only because CANDITO was clothed with the authority of state law. CANDITO was employed by the state and abused the position given to him by the state; thus, he acted under color of state law. Further, CANDITO's actions—including providing the illicit morphine pills, refusing to take Decedent to the hospital after Decedent exhibited overdose symptoms, providing his own personal medical treatment to Decedent with medications and medical supplies he was given free access to at North Las Vegas Fire Station 51—were performed while CANDITO was acting, purporting to act, or pretending to act in the performance of his official duties as a firefighter/EMT for the CNLV and/or NLVFD. Additionally, CANDITO's pretense of acting in the performance of his official duties had the purpose and effect of influencing the behavior of Decedent, percipient witnesses, and his employer the CNLV and/or NLVFD. Third, CANDITO's conduct was related in a meaningful way to his status as a firefighter/EMT for the CNLV and/or NLVFD and performance of his duties as a firefighter/EMT for the CNLV and/or NLVFD. CANDITO is sued in both his official capacity and his individual capacity on this claim.

49. After providing Decedent with the illicit morphine pills—knowing that she had also ingested a number of other substances, CANDITO did not timely summon reasonable medical attention for Decedent when he suspected that Decedent was showing symptoms of an

1 overdose. CANDITO also prevented medical personnel from timely rendering medical
2 aid/assistance to Decedent.

3 50. Defendant CANDITO caused an undue delay and an interference to provide
4 timely medical treatment.

5 51. CANDITO knew that the failure to provide timely medical treatment to Decedent
6 could result in further significant injury or the unnecessary and wanton infliction of pain, but
7 disregarded that serious medical need, causing Decedent great bodily harm and causing
8 Decedent's death.

9 52. As a result of the denial of medical care, Decedent suffered extreme mental and
10 physical pain and suffering, loss of enjoyment of life, the loss of her life, and the loss of her
11 earning capacity.

12 53. The conduct of Defendant CANDITO was willful, wanton, malicious and done
13 with reckless disregard for the rights and safety of Decedent and therefore warrants the
14 imposition of exemplary and punitive damages.

15 54. Also as a direct and proximate result of the aforementioned conduct, Plaintiff
16 CADE SLATSKY has been deprived of the life-long love, companionship, comfort, support,
17 society, and care of Decedent, and will continue to be so deprived for the remainder of his natural
18 life.

19 55. MARIAH MAAS and MARTIN SLATSKY bring this claim in representative
20 capacities as the appointed special administrator of Decedent's Estate, and legal guardian of
21 Decedent's surviving child, CADE SLATSKY, respectively.

22 56. Plaintiffs also seek attorneys' fees and costs under this claim.

23 **SECOND CAUSE OF ACTION**

24 **Fourteenth Amendment—Substantive Due Process, Interference with Familial Relations**

25 **(42 U.S.C. § 1983) against Defendants CANDITO, CLAPPER, ROBISON,**
26 **HONSOWETZ, STOCKER, and DOE DEFENDANTS, Defendant CNLV, and Defendant**

27 **NLVFD**

1 57. Plaintiffs repeat and re-allege each and every allegation in all preceding
2 paragraphs of this Complaint with the same force and effect as if fully set forth herein.

3 58. At all relevant times, Defendants CANDITO, CLAPPER, ROBISON,
4 HONSOWETZ, STOCKER, and DOE DEFENDANTS were acting under color of state law.
5 Further, at all relevant times, Defendants CANDITO, CLAPPER, ROBISON, HONSOWETZ,
6 STOCKER, and DOE DEFENDANTS were acting within their official capacity, and the CNLV
7 and NLVFD were a moving force behind the violations of Decedent's constitutional rights,
8 including the right to timely medical care under the Fourth Amendment. When Defendants
9 CANDITO, CLAPPER, ROBISON, HONSOWETZ, STOCKER, and DOE DEFENDANTS
10 procured and/or provided illicit drugs, including morphine pills for Decedent and then denied
11 Decedent timely medical care, they exercised power possessed by virtue of state law and made
12 possible only because Defendants clothed with the authority of state law. Defendants
13 CANDITO, CLAPPER, ROBISON, HONSOWETZ, STOCKER, and DOE DEFENDANTS
14 were employed by the state and abused the position given to them by the state; thus, they acted
15 under color of state law. Further, Defendants' actions and/or inactions—including providing the
16 illicit drugs, including morphine pills, refusing to take Decedent to the hospital after Decedent
17 exhibited overdose symptoms, providing personal medical treatment to Decedent with
18 medications and medical supplies Defendant CANDITO was given free access to at North Las
19 Vegas Fire Station 51—were performed while Defendants were acting, purporting to act, or
20 pretending to act in the performance of their official duties as firefighter/EMTs, officers,
21 managers, and/or supervisors for the CNLV and/or NLVFD. Additionally, Defendants' pretense
22 of acting in the performance of their official duties had the purpose and effect of influencing the
23 behavior of Decedent, percipient witnesses, and their employer the CNLV and/or NLVFD.
24 Third, Defendants' conduct was related in a meaningful way to their status as firefighter/EMTs,
25 officers, managers, and/or supervisors for the CNLV and/or NLVFD and performance of their
26 duties for the CNLV and/or NLVFD. Defendants are sued in both their official capacity and
27 their individual capacity on this claim.
28

1 59. Plaintiff CADE SLATSKY, through his legal guardian MARTIN SLATSKY, had
2 a cognizable interest under the Due Process Clause of the Fourteenth Amendment to the United
3 States Constitution to be free from state actions that deprive him of life, liberty, or property in
4 such a manner as to shock the conscience, including but not limited to unwarranted state
5 interference in his family relationship with his mother, Decedent.

6 60. Decedent had a cognizable interest under the Due Process Clause of the
7 Fourteenth Amendment of the United States Constitution to be free from state actions that deprive
8 her of her right to life, liberty, or property in such a manner as to shock the conscience.

9 61. The aforementioned actions of Defendants CANDITO, CLAPPER, ROBISON,
10 HONSOWETZ, STOCKER, and DOE DEFENDANTS and CNLV, including the provision of
11 illicit morphine pills and denial of medical care, along with other undiscovered conduct, to
12 Decedent, shock the conscience, in that Defendants CANDITO, CLAPPER, ROBISON,
13 HONSOWETZ, STOCKER, and DOE DEFENDANTS, CNLV, and NLVFD acted and/or failed
14 to act with deliberate indifference to the constitutional rights of Decedent and Plaintiff CADE
15 SLATSKY.

16 62. Defendants CANDITO, CLAPPER, ROBISON, HONSOWETZ, STOCKER,
17 and DOE DEFENDANTS, CNLV, and NLVFD thus violated the substantive due process rights
18 of Plaintiff CADE SLATSKY to be free from unwarranted interference with his familial
19 relationship with Decedent, his mother.

20 63. Also as a direct and proximate result of the aforementioned conduct, Plaintiff
21 CADE SLATSKY has been deprived of the life-long love, companionship, comfort, support,
22 society, and care of Decedent, and will continue to be so deprived for the remainder of his natural
23 life.

24 64. MARIAH MAAS and MARTIN SLATSKY bring this claim in representative
25 capacities as the appointed special administrator of Decedent's Estate, and legal guardian of
26 Decedent's surviving child, CADE SLATSKY, respectively.

27 65. Plaintiffs also seek attorneys' fees and costs under this claim.

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THIRD CAUSE OF ACTION

**Unconstitutional Custom or Policy (42 U.S.C. § 1983 and *Monell*) against Defendants
CANDITO, CLAPPER, ROBISON, HONSOWETZ, STOCKER, and DOE
DEFENDANTS (in their official capacity), Defendant CNLV, and Defendant NLVFD**

66. Plaintiffs repeat and re-allege each and every allegation in all preceding paragraphs of this Complaint with the same force and effect as if fully set forth herein.

67. The acts of Defendants deprived Plaintiffs and Decedent of their rights under the United States Constitution.

68. At all relevant times, Defendants CANDITO, CLAPPER, ROBISON, HONSOWETZ, STOCKER, and DOE DEFENDANTS were acting under color of state law. Further, at all relevant times, Defendants CANDITO, CLAPPER, ROBISON, HONSOWETZ, STOCKER, and DOE DEFENDANTS were acting within their official capacity, and the CNLV was a moving force behind the violations of Decedent's constitutional rights, including the right to timely medical care under the Fourth Amendment. When Defendants CANDITO, CLAPPER, ROBISON, HONSOWETZ, STOCKER, and DOE DEFENDANTS procured and/or provided illicit drugs, including morphine pills for Decedent and then denied Decedent timely medical care, they exercised power possessed by virtue of state law and made possible only because Defendants clothed with the authority of state law. Defendants CANDITO, CLAPPER, ROBISON, HONSOWETZ, STOCKER, and DOE DEFENDANTS were employed by the state and abused the position given to them by the state; thus, they acted under color of state law. Further, Defendants' actions and/or inactions—including providing the illicit drugs, including morphine pills, refusing to take Decedent to the hospital after Decedent exhibited overdose symptoms, providing personal medical treatment to Decedent with medications and medical supplies Defendant CANDITO was given free access to at North Las Vegas Fire Station 51—were performed while Defendants were acting, purporting to act, or pretending to act in the performance of their official duties as firefighter/EMTs, officers, managers, and/or supervisors for the CNLV and/or NLVFD. Additionally, Defendants' pretense of acting in the performance of their official duties had the purpose and effect of influencing the behavior of Decedent,

1 percipient witnesses, and their employer the CNLV and/or NLVFD. Third, Defendants' conduct
2 was related in a meaningful way to their status as firefighter/EMTs, officers, managers, and/or
3 supervisors for the CNLV and/or NLVFD and performance of their duties for the CNLV and/or
4 NLVFD. Defendants are sued in both their official capacity and their individual capacity on this
5 claim.

6 69. During this incident, Defendants CANDITO, CLAPPER, ROBISON,
7 HONSOWETZ, STOCKER, and DOE Defendants acted pursuant to customs, practices, and
8 policies of CNLV and/or NLVFD.

9 70. On information and belief, prior to the subject incident, Defendants CANDITO,
10 CLAPPER, ROBISON, HONSOWETZ, STOCKER, and DOE DEFENDANTS were not
11 disciplined, reprimanded, retrained, suspended, or otherwise penalized for any similar conduct,
12 including the use and provision of illicit drugs within the NLVFD or among CNLV employees,
13 and the denial of medical care.

14 71. Defendants CNLV and NLVFD, as policymakers and supervisors, maintained,
15 *inter alia*, the following unconstitutional customs or policies:

- 16 a) Authorizing and/or encouraging firefighter/EMTs, officers, managers, and/or
17 supervisors to use NLVFD medical supplies and/or medications for personal
18 use;
- 19 b) Complete lack of supervision and oversight of medical supply stocks within
20 the NLVFD, despite the stock including dangerous and addictive substances;
- 21 c) Failure to train NLVFD employees regarding the appropriate use of available
22 life-saving measures and/or providing appropriate medical care to individuals
23 experiencing overdose symptoms from the use of such substances;
- 24 d) Employing and retaining as firefighter/EMTs, officers, managers, and/or
25 supervisors, including Defendants CANDITO, CLAPPER, ROBISON,
26 HONSOWETZ, STOCKER, and DOE DEFENDANTS, at all times material
27 herein, which it knew or should have known had dangerous propensities for
28 abusing their authority and access to medical supplies and medication,

1 using/trading/selling illicit drugs, and failing to follow written CNLV and/or
2 NLVFD policies;

3 e) Maintaining a policy of inaction and an attitude of indifference towards illicit
4 drug use and abuse of authority within the NLVFD.

5 72. The above mentioned policies, practices, and customs were followed by CNLV
6 and NLVFD with such duration and frequency that employees considered them customary and
7 accepted by the organization.

8 73. Defendants CANDITO, CLAPPER, ROBISON, HONSOWETZ, STOCKER,
9 and DOE DEFENDANTS had either actual or constructive knowledge of the different policies,
10 practices, and customs alleged in the paragraphs above. Despite having knowledge as stated
11 above, Defendants CANDITO, CLAPPER, ROBISON, HONSOWETZ, STOCKER, DOE
12 DEFENDANTS, CNLV, and NLVFD condoned, tolerated and through actions and inactions
13 ratified such policies. Such Defendants also acted with deliberate indifference to both the
14 foreseeable effects and consequences of these policies and to the constitutional rights of Plaintiffs
15 and Decedent.

16 74. As a NLVFD Captain, Defendant ROBISON was a superior officer within the
17 organization. Defendant ROBISON's involvement in the above mentioned policies, practices,
18 and customs evidences actual notice and deliberate indifference to the foreseeable consequences
19 of these practices, but also, constitutes an act by an individual with policy-making authority.

20 75. By perpetuating, sanctioning, tolerating, and ratifying Defendants CANDITO,
21 CLAPPER, ROBISON, HONSOWETZ, STOCKER, and DOE DEFENDANTS' outrageous
22 conduct and other wrongful acts, Defendants CNLV and NLVFD acted with an intentional,
23 reckless, callous disregard for the well-being of Plaintiffs and Decedent, and their constitutional
24 rights. Furthermore, the policies, practices, and customs implemented, maintained, and still
25 tolerated by Defendants CNLV and NLVFD were affirmatively linked to and were a significant
26 influential force behind the constitutional violations and injuries/death of Decedent.

27 76. As a direct and proximate result of the aforementioned unconstitutional policies
28 and customs, Decedent experienced severe physical and emotional pain and suffering and death.

1 77. Also as a direct and proximate result of the aforementioned conduct, Plaintiff
2 CADE SLATSKY has been deprived of the life-long love, companionship, comfort, support,
3 society, and care of Decedent, and will continue to be so deprived for the remainder of his natural
4 life.

5 78. Accordingly, Defendants CANDITO, CLAPPER, ROBISON, HONSOWETZ,
6 STOCKER, and DOE DEFENDANTS, in their official capacity, CNLV, and NLVFD are each
7 liable to Plaintiffs for compensatory damages under 42 U.S.C. § 1983 and *Monell* on this claim.

8 79. MARIAH MAAS and MARTIN SLATSKY bring this claim in representative
9 capacities as the appointed special administrator of Decedent's Estate, and legal guardian of
10 Decedent's surviving child, CADE SLATSKY, respectively.

11 80. Plaintiffs also seek attorneys' fees and costs under this claim.

12 **FOURTH CAUSE OF ACTION**

13 **Negligence against Defendants CANDITO, CLAPPER, ROBISON, HONSOWETZ,**
14 **STOCKER, and DOE Defendants**

15 81. Plaintiffs repeat and re-allege each and every allegation contained in the preceding
16 paragraphs as though fully set forth herein.

17 82. Defendants CANDITO, CLAPPER, ROBISON, HONSOWETZ, STOCKER,
18 and DOE DEFENDANTS had a duty of reasonable care within their interactions and
19 involvement with Decedent.

20 83. Defendants CANDITO, CLAPPER, ROBISON, HONSOWETZ, STOCKER,
21 and DOE DEFENDANTS breached that duty of care toward decedent by providing or procuring
22 illicit drugs, including but not limited to the subject morphine pills, for Decedent and encouraging
23 Decedent's use of those illicit drugs.

24 84. Defendant CANDITO breached his duty of reasonable care toward decedent
25 further by failing to seek appropriate medical attention for Decedent when he believed she was
26 experiencing a morphine overdose, and instead, taking Decedent to his own fire station to provide
27 his own treatment and returning home.

8 87. As a direct and proximate result of the aforementioned conduct, Plaintiff CADE
9 SLATSKY has been deprived of the life-long love, companionship, comfort, support, society,
10 and care of Decedent, and will continue to be so deprived for the remainder of his natural life.

14 89. Plaintiffs also seek attorneys' fees and costs under this claim.

16 **Civil Liability for Violation of NRS 41.700 against Defendants CANDITO, CLAPPER,**
17 **ROBISON, HONSOWETZ, STOCKER, and DOE Defendants**

20 91. NRS 41.700 states as follows:

a. Knowingly and unlawfully serves, sells or otherwise furnishes a controlled substance to another person; or

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2. A person who prevails in an action brought pursuant to subsection 1 may recover his or her actual damages, attorneys' fees and costs and any punitive damages that the facts may warrant.

92. Upon information and belief Defendants CANDITO, CLAPPER, ROBISON, HONSOWETZ, STOCKER, and DOE DEFENDANTS knowingly and unlawfully served, sold, or otherwise furnished one of more controlled substances to Decedent on or about February 21, 2020 and February 22, 2020.

93. Alternatively, upon information and belief, Defendants CANDITO, CLAPPER, ROBISON, HONSOWETZ, STOCKER, and DOE DEFENDANTS knowingly allowed Decedent to use a controlled substance in an unlawful manner on premises or in a conveyance belonging to the person allowing the use or over which the person has control on or about February 21, 2020 and February 22, 2020.

94. At all times relevant hereto, Defendants CANDITO, CLAPPER, ROBISON, HONSOWETZ, STOCKER, and DOE DEFENDANTS were employed by CNLV and/or NLVFD, and pursuant to the doctrine of *respondeat superior*, CNLV and/or NLVFD, are liable to Plaintiffs for the injuries and damages caused by Defendants' wrongful acts, as alleged herein.

95. As a direct and proximate result of Defendants' conduct as alleged above, and any other conduct discovered in the future, Decedent was caused to suffer severe pain, suffering, and fear. Further, as a direct and proximate result of Defendants' conduct in violation of NRS 41.700, Decedent ultimately died.

96. Defendants acted with actual malice toward Decedent and Plaintiffs by displaying a reckless disregard for human life through procuring or providing illicit drugs and denial of medical care to Decedent, warranting exemplary or punitive damages.

97. As a direct and proximate result of the aforementioned conduct, Plaintiff CADE SLATSKY has been deprived of the life-long love, companionship, comfort, support, society, and care of Decedent, and will continue to be so deprived for the remainder of his natural life.

5 SIXTH CAUSE OF ACTION

9 100. Plaintiffs repeat and re-allege each and every allegation contained in the preceding
10 paragraphs as though fully set forth herein.

14 102. The laws of the State of Nevada allow for action for injury, wrongful death or
15 other damage resulting from the deprivation of any rights, privileges or immunities secured by
16 the Constitution of the State of Nevada.

17 103. Nev. Const. Art. 1, § 8(2) states that no person shall be deprived of life, liberty,
18 or property, without due process of law.

19 104. The Due Process Clause of the Nevada Constitution protects individuals from
20 state actions that deprive them of life, liberty, or property without due process of law.

105. At all times relevant hereto, Defendants CANDITO, CLAPPER, ROBISON, HONSOWETZ, STOCKER, and DOE DEFENDANTS, in their official capacity, CNLV, and NLVFD, by and through its employees, agents, contractors, and/or staff, including but not limited to Defendant Employees, violated the Constitution of the State of Nevada by causing Decedent and Plaintiffs to be deprived of the rights, privileges, and/or immunities secured in the Constitution of the State of Nevada, as alleged herein, and by failing to adhere to their oath of office.

1 106. At all times relevant hereto, Defendants CANDITO, CLAPPER, ROBISON,
2 HONSOWETZ, STOCKER, and DOE DEFENDANTS were employed by CNLV and/or
3 NLVFD, and pursuant to the doctrine of *respondeat superior*, CNLV and/or NLVFD, are liable
4 to Plaintiffs for the injuries and damages caused by Defendants' wrongful acts, as alleged herein.

5 107. At all times relevant hereto, Decedent and Plaintiff CADE SLATSKY were
6 citizens of the State of Nevada, and individuals who was entitled to the protections of Nev. Const.
7 Art. 1, § 8(2), as protected under the Nevada Constitution.

8 108. The Due Process Clause under the Nev. Const. Art. 1, § 6, requires that the
9 procedures by which laws are applied be fundamentally fair, so that individuals are not subjected
10 to the arbitrary exercise of government power. The appropriate framework for assessing
11 procedural rules requires a determination as to whether the procedures are offensive to the
12 concept of fundamental fairness.

13 109. The denial of medical care by Defendants, and each of them, deprived Decedent
14 of her rights under the Nevada Constitution as set forth herein.

15 110. Defendants, and each of them, knew that failure to provide timely medical
16 treatment to Decedent could result in further significant injury or the unnecessary and wanton
17 infliction of pain, but disregarded that serious need, causing Decedent great bodily harm and
18 eventual death.

19 111. Decedent had a right, clearly established and enforceable, as protected under the
20 Nevada Constitution, to be free from neglect and physical abuse by Defendants. As a direct and
21 proximate result of Defendant's conduct, Decedent was denied due process of law as protected
22 under the Nevada Constitution, by Defendants' provision of illicit drugs and failure to render her
23 aid while in their control and custody. The Defendants' conduct was offensive to the concept of
24 fundamental fairness, protected under the Nevada Constitution.

25 112. That the wrongful and unlawful acts perpetrated by the Defendants and each of
26 them, in intentionally disregarding the Nevada constitutional rights of Decedent were willful,
27 oppressive, malicious, and performed with a wanton disregard for the established and
28 constitutionally protected rights of Decedent.

113. As a direct and proximate result of the aforementioned conduct, Plaintiff CADE SLATSKY has been deprived of the life-long love, companionship, comfort, support, society, and care of Decedent, and will continue to be so deprived for the remainder of his natural life.

114. MARIAH MAAS and MARTIN SLATSKY bring this claim in representative capacities as the appointed special administrator of Decedent's Estate, and legal guardian of Decedent's surviving child, CADE SLATSKY, respectively.

115. Plaintiffs also seek attorneys' fees and costs under this claim.

SEVENTH CAUSE OF ACTION

False Imprisonment against Defendants CANDITO, CNLV, and NLVFD

116. Plaintiffs repeat and re-allege each and every allegation contained in the preceding paragraphs as though fully set forth herein.

117. Defendant CANDITO, while acting under color of law and within the course and scope of his duties as a CNLV and/or NLVFD employee, intentionally deprived Decedent of her freedom of movement by use of force, fraud, deceit, and unreasonable duress.

118. The conduct of Defendant CANDITO was a substantial factor in causing the harm and death of Decedent.

119. CNLV and NLVFD are vicariously liable for the wrongful acts of Defendant CANDITO because such acts were undertaken under color of law and within the course and scope of Defendant CANDITO's duties as a NLVFD firefighter/EMT.

120. The conduct of Defendant CANDITO was malicious, wanton, oppressive, and accomplished with a conscious disregard for the rights of Decedent, entitling Plaintiffs to an award of exemplary and punitive damages.

121. As a direct and proximate result of the aforementioned conduct, Plaintiff CADE SLATSKY has been deprived of the life-long love, companionship, comfort, support, society, and care of Decedent, and will continue to be so deprived for the remainder of his natural life.

122. MARIAH MAAS and MARTIN SLATSKY bring this claim in representative capacities as the appointed special administrator of Decedent's Estate, and legal guardian of Decedent's surviving child, CADE SLATSKY, respectively.

123. Plaintiffs also seek attorneys' fees and costs under this claim.

EIGHTH CAUSE OF ACTION

Battery against Defendants CANDITO, CNLV, and NLVFD

124. Plaintiffs repeat and re-allege each and every allegation contained in the preceding paragraphs as though fully set forth herein.

125. Defendant CANDITO, while acting under color of law and within the course and scope of his duties as a CNLV and/or NLVFD employee, intentionally touched and physically harmed Decedent, in a number of unwanted ways, including, but not limited to, carrying Decedent's body to and from her home and Defendant CANDITO's vehicle, piercing Decedent's skin to administer IV medication at North Las Vegas Fire Station 51, and other manipulations of Decedent's body while providing improper medical care.

126. As a result of Defendant CANDITO's actions, Decedent suffered severe pain and suffering and ultimately died. Defendant CANDITO had no permission to carry out the aforementioned physical interactions with Decedent's body.

127. The conduct of Defendant CANDITO was a substantial factor in causing the harm and death of Decedent.

128. CNLV and NLVFD are vicariously liable for the wrongful acts of Defendant CANDITO because such acts were undertaken under color of law and within the course and scope of Defendant CANDITO's duties as a NLVFD firefighter/EMT.

129. The conduct of Defendant CANDITO was malicious, wanton, oppressive, and accomplished with a conscious disregard for the rights of Decedent, entitling Plaintiffs to an award of exemplary and punitive damages.

130. As a direct and proximate result of the aforementioned conduct, Plaintiff CADE SLATSKY has been deprived of the life-long love, companionship, comfort, support, society, and care of Decedent, and will continue to be so deprived for the remainder of his natural life.

131. MARIAH MAAS and MARTIN SLATSKY bring this claim in representative capacities as the appointed special administrator of Decedent's Estate, and legal guardian of Decedent's surviving child, CADE SLATSKY, respectively.

132. Plaintiffs also seek attorneys' fees and costs under this claim.

NINTH CAUSE OF ACTION

**Negligent Security against Defendants GNLV, LLC, DOMAIN PROPERTY OWNER
LLC, and OAKTREE CAPITAL MANAGEMENT L.P.**

133. Plaintiffs repeat and re-allege each and every allegation contained in the preceding paragraphs as though fully set forth herein.

134. Decedent was an invitee on Defendant GNLV, LLC's property on February 21, 2020 through February 22, 2020.

135. Additionally, Decedent was a resident of an apartment located at 831 Coronado Center Drive, #1203, Henderson, NV 89052. Said property was owned and/or managed by Defendants DOMAIN PROPERTY OWNER LLC and/or OAKTREE CAPITAL MANAGEMENT L.P.;

136. GNLV, LLC, as a property owner and innkeeper, owed Decedent a duty to exercise reasonable care while she was present on their property.

137. DOMAIN PROPERTY OWNER LLC and OAKTREE CAPITAL MANAGEMENT L.P. owed Decedent a duty of reasonable care to keep the property secure for its residents and guests.

138. Defendant GNLV, LLC had either actual or constructive knowledge of the hotel party taking place in the paragraphs above. Despite having knowledge as stated above, Defendant GNLV, LLC condoned, tolerated and through actions and inactions ratified the conduct exhibited at the party, including extensive illicit drug use.

139. It is foreseeable that drugs would be present and taken at a hotel party, such as the one described above. Likewise, it is foreseeable that a person in attendance at a party such as the one described above would suffer injury, up to and including death, as a result of an all-night hotel party.

140. Defendant GNLV, LLC failed to take reasonable precautions, including, but not limited to, providing adequate security personnel and equipment, to prevent hotel guests from

1 holding a party on their premises in which extensive illicit drugs were available, distributed, and
2 consumed by party-goers.

3 141. Defendant GNLV, LLC failed to exercise due care for the safety of Decedent by
4 allowing their property to be used to hold a party in which extensive illicit drugs were available,
5 distributed, and consumed by party-goers.

6 142. Upon information and belief, prior incidents of similar parties, resulting in acute
7 drug intoxication, overdose, and death have occurred on the premises and Defendant GNLV,
8 LLC is aware of said incidents.

9 143. Further, Defendants DOMAIN PROPERTY OWNER LLC and OAKTREE
10 CAPITAL MANAGEMENT L.P. had either actual or constructive knowledge of the illicit drug
11 use and distribution taking place on their property, as discussed in the paragraphs above. Despite
12 having knowledge as stated above, Defendants DOMAIN PROPERTY OWNER LLC and
13 OAKTREE CAPITAL MANAGEMENT L.P. condoned, tolerated and through actions and
14 inactions ratified the conduct.

15 144. Defendants DOMAIN PROPERTY OWNER LLC and OAKTREE CAPITAL
16 MANAGEMENT L.P. failed to take reasonable precautions, including, but not limited to,
17 providing adequate security personnel and equipment, to prevent residents and guests from
18 distributing and using illicit drugs on their premises.

19 145. Defendants DOMAIN PROPERTY OWNER LLC and OAKTREE CAPITAL
20 MANAGEMENT L.P. failed to exercise due care for the safety of Decedent by allowing their
21 property to be used for the distribution and use of illicit drugs.

22 146. As a direct and proximate result of Defendants' conduct as alleged above, and any
23 other conduct discovered in the future, Decedent was caused to suffer severe pain, suffering, fear,
24 and death. Further, as a direct and proximate result of Defendants' conduct in violation of NRS
25 41.700, Decedent ultimately died.

26 147. Defendants acted with actual malice toward Decedent and Plaintiffs by displaying
27 a reckless disregard for human life through procuring or providing illicit drugs and denial of
28 medical care to Decedent, warranting exemplary or punitive damages.

148. As a direct and proximate result of the aforementioned conduct, Plaintiff CADE SLATSKY has been deprived of the life-long love, companionship, comfort, support, society, and care of Decedent, and will continue to be so deprived for the remainder of his natural life.

149. MARIAH MAAS and MARTIN SLATSKY bring this claim in representative capacities as the appointed special administrator of Decedent's Estate, and legal guardian of Decedent's surviving child, CADE SLATSKY, respectively.

150. Plaintiffs also seek attorneys' fees and costs under this claim.

Plaintiffs, expressly reserving the right to amend this Complaint at the time of trial to include all items of damages not yet ascertained, demands judgment against Defendants, and each of them, as follows:

1. General damages in excess of \$15,000;
2. Special and/or pecuniary damages in excess of \$15,000;
3. For damages related to Plaintiffs' grief, sorrow, loss of support, society, companionship, and comfort, in an amount to be proven at trial;
4. For punitive damages on all causes of action;
5. For equitable relief that Defendants CNLV and NLVFD be required to adopt policies to prevent further incidents such as complained of herein;
6. For equitable relief that Defendants CNLV and NLVFD be required to comply with training requirements for its employees to prevent further incidents such as complained of herein;
7. For equitable relief that Defendants CANDITO, CLAPPER, ROBISON, HONSOWETZ, STOCKER, and DOE DEFENDANTS be investigated and disciplined including, but not limited to, termination of employment;
8. For any and all pre and post-judgment interest as permitted by law;
9. For reasonable attorneys' fees and costs of suit; and
10. For such other and further relief as the court deems just and proper.

DATED this 7th day of February 2022.

LLOYD BAKER INJURY ATTORNEYS

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