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8 Attorneys for Plaintiff

9 SUPERIOR COURT OF CALIFORNIA
10 COUNTY OF SACRAMENTO

11 MADELYNN SAECHAO, NAI SAECHAO, KAO
12 SAECHAO, NATHAN KING,

Case No.:

COMPLAINT FOR PERSONAL INJURIES

13 Plaintiff,

14 v.

15 SACRAMENTO METROPOLITAN FIRE
16 DISTRICT, and DOES 1 through 20,
17 inclusive,

Defendants.

18
19 **FIRST CAUSE OF ACTION**

20 **(Personal Injuries: MADELYNN SAECHAO)**

21 Plaintiffs MADELYNN SAECHAO, NAI SAECHAO, KAO SAECHAO and NATHAN KING complain
22 against Defendants SACRAMENTO METROPOLITAN FIRE DISTRICT and DOES 1 through 20 and
23 alleges as follows:

24 1. The true names and capacities -- whether individual, corporate, associate or
25 otherwise -- of Defendants DOES 1 through 20, are unknown to Plaintiffs, who therefore sues such
26 DOES by such fictitious names. Plaintiffs will amend this Complaint to show their true names and
27 capacities when the same have been ascertained. Each of the Defendants, and DOES 1 through
28 20, are legally responsible in some manner -- negligently, in warranty, strictly, or otherwise -- for

1 the incident that is the subject of this Complaint.

2 2. Plaintiffs are now, and at all times herein mentioned was, citizens of and residents
3 within the County of Sacramento, State of California. Plaintiffs further allege that each Defendant
4 is a citizen and resident of, or doing business within, and/or a public entity within the County of
5 Sacramento, State of California. The amount in controversy is in excess of the minimal
6 jurisdictional limits of this Court.

7 3. Plaintiffs have caused a written Claim for Personal Injuries to be served on October
8 6, 2021, which Claim has been denied by the appropriate authorities. Plaintiffs have complied with
9 all applicable Government Code claims procedures.

10 4. Defendants SACRAMENTO METROPOLITAN FIRE DISTRICT and DOES 1 through 20
11 were the owners and/or operators of the fire department boat.

12 5. Defendants SACRAMENTO METROPOLITAN FIRE DISTRICT and DOES 11 through 20
13 were driving the above-described fire department boat with the knowledge, consent and
14 permission of Defendants SACRAMENTO METROPOLITAN FIRE DISTRICT and DOES 1 through 10,
15 and within the course and scope of their agency and/or employment with Defendants
16 SACRAMENTO METROPOLITAN FIRE DISTRICT and DOES 1 through 10.

17 6. Defendants SACRAMENTO METROPOLITAN FIRE DISTRICT and DOES 11 through 20
18 were the agents, employees or contractors of Defendants SACRAMENTO METROPOLITAN FIRE
19 DISTRICT and DOES 1 through 10, and were at all times acting within the course and scope of
20 said agency, employment or contract, and with the permission, knowledge and consent of each
21 remaining Defendants.

22 7. Defendants SACRAMENTO METROPOLITAN FIRE DISTRICT and DOES 1 through 10
23 also negligently hired, trained, and/or supervised Defendants SACRAMENTO METROPOLITAN FIRE
24 DISTRICT and 11 through 20 in such a fashion as to cause and/or contribute to the occurrence of
25 the incident described herein.

26 8. Defendants SACRAMENTO METROPOLITAN FIRE DISTRICT and DOES 1 through 10
27 are liable to Plaintiffs for the negligence of Defendants SACRAMENTO METROPOLITAN FIRE
28 DISTRICT and DOES 11 through 20 within the course and scope of the latter's employment and/or

1 agency, by virtue of Government Code section 815.2. All Defendants are liable to Plaintiffs for
2 their negligence, pursuant to Government Code section 820. Defendants SACRAMENTO
3 METROPOLITAN FIRE DISTRICT and DOES 1 through 10 are also responsible to Claimants
4 pursuant to California Vehicle Code sections 17001 – 17002.

5 9. On July 3, 2021, Defendants SACRAMENTO METROPOLITAN FIRE DISTRICT and
6 DOES 11 through 20 were driving a fire department boat in the river at the American River
7 Parkway, near the clay banks, River Bend Park at Gilligan’s Island, in the County of Sacramento,
8 State of California. At the same general time and location, Plaintiffs MADELYNN SAECHAO, NAI
9 SAECHAO, KAO SAECHAO and NATHAN KING were floating in a raft in the same general location,
10 when Defendants SACRAMENTO METROPOLITAN FIRE DISTRICT and DOES 11 through 20 ran
11 them over, thereby causing injury and damages to Plaintiffs.

12 10. Defendants SACRAMENTO METROPOLITAN FIRE DISTRICT and DOES 1 through 20,
13 and each of them, negligently entrusted, managed, maintained, drove, operated, repaired,
14 manufactured and designed the fire department boat so as to cause the death of decedent and
15 resulting injuries and damages to Plaintiffs.

16 11. With regard to the above-described collision, the Sacramento Metropolitan Fire
17 personnel drove negligently in the course and scope of employment with the SACRAMENTO
18 METROPOLITAN FIRE DISTRICT. The negligence caused the above-described collision by failing to
19 slow and divert the direction for stopped raft in their direction and failed to keep a proper and
20 careful look-out for traffic, driving at an unsafe speed for the conditions. There may have been
21 other actions and/or omissions constituting negligence on the part of the SACRAMENTO
22 METROPOLITAN FIRE DISTRICT that are not currently known. The SACRAMENTO METROPOLITAN
23 FIRE DISTRICT is liable to Claimant pursuant to Government Code section 820(a). The
24 SACRAMENTO METROPOLITAN FIRE DISTRICT is liable to Claimant pursuant to Government Code
25 section 815.2 and/or Vehicle Code section 22350 based on the negligence of the employee(s) in
26 the course and scope of their employment.

27 12. Additional employees of the SACRAMENTO METROPOLITAN FIRE DISTRICT were
28 negligent in the course and scope of their employment, but their names are not currently known.

1 These employees are liable to Claimant pursuant to Government Code section 820(a). The
2 SACRAMENTO METROPOLITAN FIRE DISTRICT is liable to Claimant pursuant to Government Code
3 section 815.2 based on the negligence of these as-yet unknown employees. These employees, in
4 the course and scope of their employment, negligently hired, trained, supervised, and/or managed
5 the SACRAMENTO METROPOLITAN FIRE DISTRICT employees so as to cause and/or contribute to
6 the subject collision.

7 13. As a result of the negligence of Defendants, Plaintiff MADELYNN SAECHAO suffered
8 personal/bodily injuries, resulting in economic and noneconomic damages. Economic damages
9 include, but are not limited to, (1) past and future medical and/or ancillary related expenses, (2)
10 past and future income and/or earning capacity loss, (3) loss of ability to provide household
11 services, and (4) incidental and consequential damages and/or property damage and loss of
12 use. Noneconomic damages include, but are not limited to (1) past and future physical and
13 mental suffering, (2) loss of enjoyment of life, (3) physical impairment, (4) inconvenience, (5)
14 anxiety, and (6) emotional distress.

15 Plaintiff MADELYNN SAECHAO prays for judgment against Defendants for:

- 16 a. Noneconomic damages in excess of the jurisdictional limit of this Court;
- 17 b. All medical and incidental expenses according to proof;
- 18 c. All loss of earnings according to proof;
- 19 d. Prejudgment interest to the extent permitted by law;
- 20 e. All costs of suit; and
- 21 f. Such other and further relief as this Court may deem just and proper.

22 **SECOND CAUSE OF ACTION**

23 **(Negligence - Contemporaneous Observation of Injury: NAI SAECHAO)**

24 As a separate second cause of action, Plaintiff NAI SAECHAO complains against
25 Defendants and alleges as follows:

26 14. Plaintiffs incorporate herein by reference each and every allegation contained in the
27 first cause of action as though fully set forth.

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1 **FOURTH CAUSE OF ACTION**

2 **(Personal Injury: NATHAN KING)**

3 As a separate second cause of action, Plaintiff NATHAN KING complains against Defendants
4 and alleges as follows:

5 18. Plaintiffs incorporate herein by reference each and every allegation contained in the
6 first cause of action as though fully set forth.

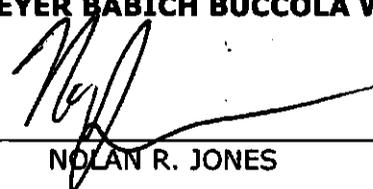
7 19. As a result of the negligence of Defendants, Plaintiff NATHAN KING suffered
8 personal/bodily injuries, resulting in economic and noneconomic damages. Economic damages
9 include, but are not limited to, (1) past and future medical and/or ancillary related expenses, (2)
10 past and future income and/or earning capacity loss, (3) loss of ability to provide household
11 services, and (4) incidental and consequential damages and/or property damage and loss of
12 use. Noneconomic damages include, but are not limited to (1) past and future physical and
13 mental suffering, (2) loss of enjoyment of life, (3) physical impairment, (4) inconvenience, (5)
14 anxiety, and (6) emotional distress.

15 Plaintiff NATHAN KING prays for judgment against Defendants for:

- 16 a. Noneconomic damages in excess of the jurisdictional limit of this Court;
17 b. All medical and incidental expenses according to proof;
18 c. All loss of earnings according to proof;
19 d. Prejudgment interest to the extent permitted by law;
20 e. All costs of suit; and
21 f. Such other and further relief as this Court may deem just and proper.

22
23 DATED: February 1, 2022

DREYER BABICH BUCCOLA WOOD CAMPORA, LLP

24
25 By: 
26 NOLAN R. JONES
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