

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF NEWPORT NEWS

KEYONNA STEWART, ADMINISTRATOR
OF THE ESTATE OF KALEIAH JONES,
DECEASED,

Plaintiff,

v.

Case No.: _____

JURY TRIAL DEMANDED

NEWPORT NEWS SCHOOL BOARD,

Serve:

Lisa R. Surlis-Law, Chairman
Newport News School Board
12507 Warwick Boulevard
Newport News, VA 23606

Collins L. Owens, Jr., City Attorney
City of Newport News, Virginia
2400 Washington Avenue, 9th Floor, City Hall
Newport News, VA 23607

CITY OF NEWPORT NEWS, VIRGINIA,

Serve:

Collins L. Owens, Jr., City Attorney
City of Newport News, Virginia
2400 Washington Avenue, 9th Floor, City Hall
Newport News, VA 23607

TURKAN TILLOTSON, RN,

Serve at:

Menchville High School
275 Menchville Road
Newport News, VA 23602

DIAMOND GEE,

Serve at:

FILED
2024 OCT 17 PM 12:24
CIRCUIT CLERK, OFFICE
CITY OF NEWPORT NEWS, VA.
ANGELA F. REASOTT
CLERK

Menchville High School
275 Menchville Road
Newport News, VA 23602

ISIAH WASHINGTON,

Serve at:

Menchville High School
275 Menchville Road
Newport News, VA 23602

LISA MOLINEAUX,

Serve at:

Menchville High School
275 Menchville Road
Newport News, VA 23602

WILLIAM HUFFSTETLER,

Serve at:

Menchville High School
275 Menchville Road
Newport News, VA 23602

LISA EGOLF,

Serve at:

Denbigh High School
259 Denbigh Boulevard
Newport News, VA 23608

SCHOOL SECURITY OFFICER 1,

SCHOOL SECURITY OFFICER 2, and

SCHOOL SECURITY OFFICER 3,

Defendants.

COMPLAINT

COMES NOW Plaintiff Keyonna Stewart, Administrator of the Estate of Kaleiah Jones, Deceased, by counsel, and moves this Court for judgment against Defendants Newport News School Board (“School Board”), the City of Newport News, Virginia (“City”), Turkan Tillotson, RN (“Tillotson”), Diamond Gee (“Gee”), Isiah Washington (“Washington”), Lisa Molineaux (“Molineaux”), William Huffstetler (“Huffstetler”), Lisa Egolf (“Egolf”), and School Security Officers 1, 2, and 3, and, in support thereof, states as follows:

SUMMARY

1. On February 20, 2024, 16-year-old Kaleiah Jones (“Kaleiah”) collapsed in a hallway at Menchville High School (“Menchville”) in Newport News, Virginia. Defendants – the school nurse (Tillotson), principal (Egolf), two assistant principals (Gee and Huffstetler), teacher (Molineaux), school resource officer (Washington), and three school security officers (School Security Officers 1, 2, and 3) – were immediately notified by radio of Kaleiah’s collapse and promptly arrived at the scene.

2. Kaleiah’s heart had stopped and she was not breathing. But for **nine minutes**, the Defendants did nothing to aid Kaleiah.

3. No one started CPR. And no one went to get one of the three automated external defibrillators (“AEDs”) positioned throughout the school for such a medical crisis.

4. Approximately nine minutes after Kaleiah collapsed, Defendant Washington, the school resource officer (“SRO”), spontaneously commenced CPR. However, this lasted only **17 seconds**. No one took over after he stopped.

5. For the next **seven minutes**, Kaleiah lay unaided and dying on the hallway floor. The on-scene Defendants, to include Nurse Tillotson, Principal Egolf, Assistant Principals Gee

and Huffstetler, Molineaux, and School Security Officers 1, 2, and 3, in addition to Defendant SRO Washington, either stood nearby or entered and then left the scene.

6. Over **16 minutes** after Kaleiah's collapse, EMS finally arrived, caused an AED to be retrieved, and commenced CPR.

7. EMS eventually transported Kaleiah to Riverside Regional Medical Center, where she was pronounced dead at 2:43 p.m.

8. The Defendants' gross negligence and willful and wanton negligence to Kaleiah's acute medical needs caused her death. Had the Defendants promptly commenced CPR and/or used the AED, Kaleiah would have survived.

PARTIES

9. The Plaintiff, KEYONNA STEWART, is the mother and the ADMINISTRATOR OF THE ESTATE OF KALEIAH JONES, DECEASED. The Plaintiff is presently, and was at all relevant times, a resident of the City of Newport News, located in the Commonwealth of Virginia.

10. The Plaintiff qualified as, and was duly appointed, Administrator of the Estate of Kaleiah Jones, Deceased, by the Circuit Court of the City of Newport News on April 22, 2024. A copy of the Certificate of Qualification is attached hereto, marked as **Exhibit A**.

11. Defendant NEWPORT NEWS SCHOOL BOARD was and is a corporate body and political subdivision of the Commonwealth of Virginia under the authority of Title 22.1 of the Code of Virginia and vested with a responsibility for supervision of schools within the City of Newport News.

12. Defendant CITY OF NEWPORT NEWS, VIRGINIA was and is a city within the Commonwealth of Virginia. The City of Newport News operates the Newport News Police Department.

13. Defendant TURKAN TILLOTSON, RN, was, at all relevant times, employed by the Newport News School Board as a school nurse at Menchville High School. As such, she had specific responsibilities and duties in connection with the health care of the high school students, including Kaleiah. At all relevant times, Defendant Tillotson, RN, was acting within the scope of her employment and/or agency with the Newport News School Board.

14. Defendant DIAMOND GEE was, at all relevant times, employed by the Newport News School Board as an Assistant Principal at Menchville High School. As such, she had specific responsibilities and duties in connection with the health and safety of the high school students, including Kaleiah. At all relevant times, Defendant Gee was acting within the scope of her employment and/or agency with the Newport News School Board.

15. Defendant ISIAH WASHINGTON was, upon information and belief, at all relevant times, employed by the City of Newport News as a school resource officer assigned to Menchville High School. As such, he had specific responsibilities and duties in connection with the health and safety of the high school students, including Kaleiah. At all relevant times, Defendant Washington was acting within the scope of his employment and/or agency with the City of Newport News, which operates the Newport News Police Department.

16. Defendant LISA (Coach Mo) MOLINEAUX was, at all relevant times, employed by the Newport News School Board as a teacher at Menchville High School. As such, she had specific responsibilities and duties in connection with the health and safety of the high school students, including Kaleiah. At all relevant times, Defendant Molineaux was acting within the scope of her employment and/or agency with the Newport News School Board.

17. Defendant WILLIAM HUFFSTETLER was, at all relevant times, employed by the Newport News School Board as an Assistant Principal at Menchville High School. As such, he

had specific responsibilities and duties in connection with the health and safety of the high school students, including Kaleiah. At all relevant times, Defendant Huffstetler was acting within the scope of his employment and/or agency with the Newport News School Board.

18. Defendant LISA EGOLF, was, at all relevant times, was employed by the Newport News School Board as the Principal at Menchville High School. As such, she had specific responsibilities and duties in connection with the health and safety of the high school students, including Kaleiah. At all relevant times, Defendant Egolf was acting within the scope of her employment and/or agency with the Newport News School Board.

19. Defendants SCHOOL SECURITY OFFICERS 1, 2, AND 3, are school security officers who worked at Menchville High School. As such, they had specific responsibilities and duties in connection with the health and safety of the high school students, including Kaleiah. At all relevant times, Defendants School Security Officers 1, 2, and 3 were acting within the scope of their employment and/or agency with Newport News School Board.

JURISDICTION AND VENUE

20. Plaintiff Keyonna Stewart brings this wrongful-death action pursuant to Virginia Code § 8.01-50 *et seq.* All relief available under the statute is sought herein by Plaintiff.

21. Venue is proper in that the cause of action, or a part thereof, arose in the City of Newport News, Virginia.

22. The Plaintiff has provided timely notice to, among other entities, the City of Newport News and the Newport News School Board/School District/Public Schools, pursuant to Virginia Code §15.2-209 and Section 10.04 of the Charter of the City of Newport News.

FACTS

23. Virginia law requires that every school develop a written “school crisis, emergency management, emergency medical response plan.” Virginia Code Ann. § 22.1-279.8. Those terms are defined to include “medical emergencies, including cardiac arrest and other life-threatening medical emergencies.” Virginia Code Ann. § 22.1-279.8.A.

24. An annual review of the foregoing plans is mandated. Virginia Code Ann. § 22.1-279.8.D. Further, Newport News School Board was required to develop training on safety procedures in the event of an emergency on school property. Virginia Code Ann. § 22.1-137.3. Such training was required to be delivered to each student and employee in each school at least once each school year. *Id.*

25. Beginning in 2023, automated external defibrillators (“AEDs”) were mandated in Virginia schools.¹ *See* Virginia Code Ann. § 22.1-274.4. Menchville High School had three.

26. The Defendant school educators – Gee, Molineaux, Huffstetler, and Egolf – were required to be certified in CPR, emergency first aid, and the use of AEDs. *See* Virginia Code Ann. § 22.1-298.1.D.3. The certification is required (i) to be based on the current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation and the use of an AED, such as a program developed by the American Heart Association or the American Red Cross, and (ii) include hands-on practice of the skills necessary to perform CPR. *Id.* Defendant school nurse Tillotson and Defendant SRO Washington were similarly required to be certified – to include hands-on training – in CPR and AED use. School Security Officers 1, 2, and 3 were

¹ The original law, known as Gwyneth’s Law, was passed in response to the death of Gwyneth Griffin, a 13-year-old Virginia girl who died from cardiac arrest in 2012. Her family said that an AED was not readily available when she collapsed. In April 2023, the permissive provision was made mandatory.

required by statute to have completed basic first aid training, and may have been subject to additional requirements imposed by the District. *See* 6 VAC20-240-20.A.5.

27. In or about September 2023, Kaleiah Jones began her sophomore year at Menchville High School, located in Newport News, Virginia.

28. On February 20, 2024, shortly after 1:08 p.m., Kaleiah exited a classroom, smiling and talking to her friend. After taking several steps into the hallway, she suddenly stumbled into some lockers across from the classroom and collapsed on her back.

29. Video footage² shows Kaleiah's collapse at 1:09 p.m. Nearby students immediately went to get help and were sent back to their classes. Three school security personnel arrived within 30 seconds. A teacher, Defendant Lisa Molineaux, also arrived.³

30. Defendant Assistant Principal Gee arrived around 1:10 p.m. A lockdown was announced and students were dispersed from the scene.

31. At 1:11 p.m., the school resource officer ("SRO"), Defendant Isiah Washington, arrived.

32. At 1:12 p.m., Defendant Nurse Tillotson arrived with a wheelchair.

33. None of these Defendants initially even checked Kaleiah's pulse.

34. At 1:12 p.m., Defendant Washington appeared to finally check Kaleiah's pulse. At 1:13 p.m., Nurse Tillotson left to fill a cup with water and, upon return, appeared to splash some on Kaleiah. Nurse Tillotson and Assistant Principal Gee then continued to shake or stroke Kaleiah's shoulders.

² Defendant Newport News School Board permitted Plaintiff's counsel to view the video at the School Board offices, but declined to provide Plaintiff with a copy of the video.

³ Police notes state that Coach Mo was teaching driver's education to Kaleiah, and it was her class that Kaleiah left; that is why the students sought her attention first.

35. At approximately 1:13 p.m., Defendant Washington got on the radio to request a medic for head injury. At a later point, the dispatcher notified the patrol supervisor that the call had been upgraded to a “Code Blue.”

36. At 1:14 p.m., Defendant Assistant Principal of Operations William Huffstetler arrived. Defendant Principal Lisa Egolf also arrived.

37. At 1:14 p.m., Kaleiah was turned on her side and shaken or rubbed by multiple people. Defendants Nurse Tillotson, Gee, and SRO Washington were huddled over her.

38. At 1:17 p.m., a female school security officer brought paper towels from the nearby bathroom.

39. At 1:18 p.m., Kaleiah was turned over onto her back again. Defendant Washington shook her again, then commenced chest compressions for the first time – **nine minutes after her collapse. Around 17 seconds later, Defendant Washington stopped chest compressions.**

40. At 1:18 p.m., Defendant Nurse Tillotson, who had been at SRO Washington’s side when he started and then halted compressions, left the scene.

41. At 1:19 p.m., Defendant Molineaux rubbed and patted Kaleiah’s leg. An unknown faculty member directed students away from the scene as they were coming down the nearby stairwell.

42. At 1:19 p.m., Kaleiah was turned on her side again. At 1:20 p.m., Defendant Nurse Tillotson returned with an unidentified small object, possibly a blood pressure monitor. At 1:21 p.m., Kaleiah was moved to her back again with Defendants SRO Washington and Nurse Tillotson crouched over her, then was moved to her side and shaken. At 1:22 p.m., Defendant Washington left. At 1:23 p.m., Defendant Nurse Tillotson stopped stroking Kaleiah to check her phone.

43. For approximately ten minutes thereafter, Defendants Molineaux, Gee, Washington, Tillotson, Huffstetler, Egolf, and School Security Officers 1, 2, and 3 milled around the unresponsive Kaleiah without retrieving any of the three AEDs located in the school. Kaleiah's collapse was in a central part of the school; an AED should have been nearby.

44. At 1:23 p.m., EMS arrived. The first EMT on the scene was a woman wearing glasses and carrying a bag. Shortly after, more EMTs arrived. According to hospital records, EMS reported that Kaleiah was pulseless and not breathing by the time of their arrival.

45. The first EMT, the woman in glasses, began manual chest compressions at 1:25 p.m., two minutes after she arrived and *16 minutes after Kaleiah collapsed*. At 1:26 p.m., another EMT took over CPR.

46. At 1:27 p.m., Defendant Assistant Principal Huffstetler *finally brought an AED to the scene*. EMTs attempted to start the AED, but no shocks appeared to be administered.

47. Around 1:28 p.m., an EMT resumed manual chest compressions.

48. At 1:30 p.m., a CPR machine was initiated.

49. Around 1:31-32 p.m., it appeared that epinephrine was administered to Kaleiah.

50. At 1:33 p.m., Defendant Principal Egolf appeared to be conversing on her phone.

51. At 1:33 p.m., Defendant Nurse Tillotson returned to the scene and spoke to EMS before leaving shortly after.

52. Around 1:37-38 p.m., the EMTs intubated Kaleiah.

53. At 1:39 p.m., Defendant Principal Egolf spoke on her cell phone. Soon after, Nurse Tillotson returned and briefly spoke on the same phone before returning it to Egolf.

54. Around 1:44 p.m., Executive Director of Security, Robert Stewart, arrived.

55. At 1:46 p.m., Kaleiah was placed on a stretcher and raised to the gurney, then was wheeled out several minutes later.

56. Kaleiah was then transported to the hospital, accompanied by Defendants Principal Egolf and SRO Washington.

57. Defendant Nurse Tillotson entered a note into the Student Health Incident List on February 20, 2024 stating: “At approximately 1:20 SRO Washington Come to the clinic and stated student passed out in the hallway bring the wheelchair to the hallway, the student was on the floor with Coach MO And security, AP was on the floor with student 911 called when RN was arrived CPR started by SRO Washington EMS arrived and began care Student Transported to hospital with principal and SRO.”

58. The note falsely suggests that CPR was promptly commenced and continued until EMS arrived. As mentioned above, CPR was not commenced until nine minutes following Kaleiah’s collapse and then was abruptly halted seconds later.

59. Despite being listed as the sole Parent/Guardian in Kaleiah’s contact information, Keyonna Stewart was initially not notified; the school called Kaleiah’s sister instead.

60. Next, the school called Ms. Stewart’s boyfriend, who then had to relay to Ms. Stewart that the school nurse had called him. Ms. Stewart then called the nurse and had multiple conversations with her.

61. During the calls, Defendant Nurse Tillotson told Ms. Stewart that she did not know anything about Kaleiah’s condition and that she was busy running back-and-forth.

62. Ms. Stewart then finally spoke with Defendant Principal Egolf, who told her that Kaleiah was unresponsive. Defendant Egolf said that she was going to ride with Kaleiah in the ambulance.

63. Kaleiah arrived at the Riverside Regional Medical Center Emergency Room at approximately 2 p.m. Life-saving efforts continued until 2:43 p.m., over 90 minutes after her collapse, at which time Kaleiah was pronounced dead.

64. As noted above, had the Defendants promptly commenced CPR and/or connected the AED probes to Kaleiah and started the AED, she would have survived.

COUNT I

WRONGFUL DEATH

GROSS NEGLIGENCE

(Against All Defendants)

65. Plaintiff repeats, re-alleges and incorporates by reference the allegations contained in Paragraphs 1 through 64, inclusive.

66. Defendants had, among other duties, duties to exercise reasonable care regarding Kaleiah; however, they breached these duties.

67. Defendant Nurse Tillotson also owed duties to Kaleiah to treat her in accordance with recognized and acceptable standards of medical care, health care, and/or nursing care and treatment; however, Defendant Tillotson breached the standard of care.

68. Defendants' conduct, as described throughout this Complaint, constituted gross negligence.

69. Defendants were grossly negligent in that their actions and inactions, described throughout this Complaint, showed such a level of indifference to Kaleiah so as to constitute an utter disregard of prudence, amounting to a complete neglect for Kaleiah's safety.

70. As a direct and proximate result of the grossly negligent conduct of Defendants, Kaleiah died.

71. As a direct and proximate result of the death of Kaleiah Jones, and pursuant to Virginia Code § 8.01-50, *et seq.*, the statutory beneficiaries have sustained damages, including, but not limited to:

- a. Sorrow, mental anguish, and solace, which may include society, companionship, comfort, guidance, kindly offices, and advice of the decedent; and
- b. Loss of services, protection, care, and assistance provided by the decedent.

72. As a direct and proximate result of the death of Kaleiah Jones, and pursuant to Virginia Code § 8.01-50, *et seq.*, the Estate of Kaleiah Jones sustained damages, including, but not limited to:

- a. Expenses for the care, treatment, and hospitalization of the decedent incidental to the injury resulting in death; and
- b. Reasonable funeral expenses.

COUNT II

WRONGFUL DEATH

WILLFUL AND WANTON NEGLIGENCE

(Against All Defendants)

73. Plaintiff incorporates by reference each preceding and succeeding paragraph as though set forth fully at length herein.

74. Defendants had, among other duties, duties to exercise reasonable care regarding Kaleiah; however, Defendants breached these duties.

75. Defendant Nurse Tillotson also owed duties to Kaleiah to treat her in accordance with recognized and acceptable standards of medical care, health care, and/or nursing care and treatment; however, Defendant Tillotson breached the standard of care.

76. The Defendants were willfully and wantonly negligent in that they acted, or failed to act, in the manner described throughout this Complaint, consciously disregarding Kaleiah's rights. In addition, the Defendants acted, or failed to act, in the manner described throughout this Complaint, with reckless indifference to the consequences to Kaleiah; they were aware of their conduct and aware, from their knowledge of existing circumstances and conditions, that their conduct would result in injury and/or death to Kaleiah.

77. As a direct and proximate result of the willful and wanton negligence of the Defendants, Kaleiah died.

78. As a direct and proximate cause of the willful and wanton negligence of the Defendants, which contributed to and was the proximate cause of Kaleiah's injuries and death, the statutory beneficiaries have sustained damages, including, but not limited to: sorrow, mental anguish, and solace, which may include society, companionship, comfort, guidance, kindly offices, and advice of the decedent; and loss of services, protection, care, and assistance provided by the decedent.

79. As a direct and proximate result of the death of Kaleiah Jones, and pursuant to Virginia Code § 8.01-50, *et seq.*, the statutory beneficiaries have sustained damages, including, but not limited to:

- a. Sorrow, mental anguish, and solace, which may include society, companionship, comfort, guidance, kindly offices, and advice of the decedent; and
- b. Loss of services, protection, care, and assistance provided by the decedent.

80. As a direct and proximate result of the death of Kaleiah Jones, and pursuant to Virginia Code § 8.01-50, *et seq.*, the Estate of Kaleiah Jones sustained damages, including, but not limited to:

- a. Expenses for the care, treatment, and hospitalization of the decedent incidental to the injury resulting in death; and
- b. Reasonable funeral expenses.

PRAYER FOR RELIEF

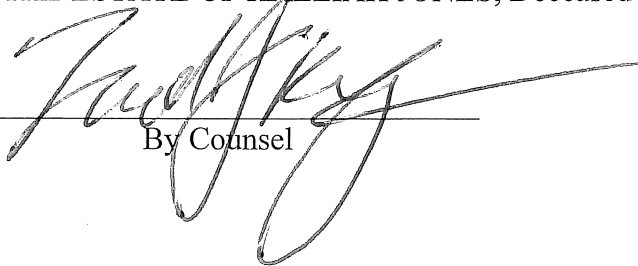
WHEREFORE, Plaintiff Keyonna Stewart, Administrator of the Estate of Kaleiah Jones, Deceased, demands judgment against Defendants Newport News School Board; the City of Newport News, Virginia; Turkan Tillotson, RN; Diamond Gee; Isiah Washington; Lisa Molineaux; William Huffstetler; Lisa Egolf; and School Security Officers 1, 2, and 3; jointly and severally, in the amount of Eighty Five Million Dollars (\$85,000,000) for compensatory damages, together with costs incurred in the pursuit of just resolution to this matter, and prejudgment interest.

JURY DEMAND

Plaintiff demands a trial with a jury on all issues in the cause, including liability and damages, and on any issue raised by this Complaint that involves any fact disputed by the Defendants, and on any issue that may be raised by the Defendants that involves any fact disputed by the Plaintiff.

Respectfully submitted,

KEYONNA STEWART, ADMINISTRATOR
OF THE ESTATE OF KALEIAH JONES, Deceased



By Counsel

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Ben Crump (*pro hac vice application forthcoming*)
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Counsel for Plaintiff Keyonna Stewart, Administrator of the Estate of Kaleiah Jones, Deceased

Exhibit A

**CERTIFICATE/LETTER OF QUALIFICATION -
FOR PROSECUTION OR DEFENSE OF CIVIL ACTION**

Court File No. 240000234

COMMONWEALTH OF VIRGINIA
VA. CODE §§ 64.2-454

Newport News Circuit Court

I, the duly qualified clerk/deputy clerk of this Court, **CERTIFY** that on April 22, 2024

DATE

KEYONNA STEWART Administrator

NAME(S) OF PERSON(S) QUALIFYING

duly qualified in this Court, under the provisions of Virginia Code § 64.2-454, as administrator of the estate of

KALEIAH I JONES, deceased, solely for the purpose of prosecution or defense of a civil action for personal injury and/or death by wrongful act.

The powers of the fiduciary(ies) named above continue in full force and effect.

\$1,000.00 bond has been posted.

Given under my hand and the seal of this Court on

April 22, 2024

DATE

ANGELA F. REASON, Clerk

by , Deputy Clerk