

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION**

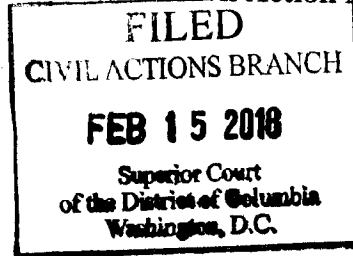
VALERICA ALSTON
2724 Douglas Place, S.E.
Washington, DC 20020

Plaintiff

v.

E & G GROUP, LLC
1651 Old Meadow Road
Suite 305
McLean, VA 22102

Civil Action No. 18-0001086



Serve:

Corporation Service Corp *Defendant*
1090 Vermont Ave NW
Washington, DC 20005

COMPLAINT

Comes now Plaintiff Valerica Alston, by and through undersigned counsel and pursuant to Super. Ct. Civ. Rule 3, and respectfully brings this action and seeks judgment in excess of \$10,000 against Defendant E & G Group, LLC (hereinafter "E & G Group").

Parties and Jurisdiction

1) Plaintiff Valerica Alston is a resident of the District of Columbia. At all times relevant to the Complaint, Plaintiff resided at 2724 Douglas Place, S.E. in Washington, DC (hereinafter "unit" or "townhome").

2) Defendant E & G Group is a Virginia-based company that regularly does business in the District of Columbia. Upon information and belief, at all times relevant to the Complaint, Defendant E & G Group managed the the apartment complex known as Sayles Place, located from 2700 to 2811 Douglas Place in Southeast Washington, DC, and includes Plaintiff's unit.

3) Jurisdiction is proper pursuant to D.C. Code §§ 11-921 and 13-423.

Facts Common to All Counts

4) In 2008, Plaintiff and her children moved into the townhome located at 2724 Douglas Place, S.E. in Washington, DC.

5) In November 2016, Plaintiff's father passed away in North Carolina.

6) From November 2016 to the present, Plaintiff has made periodic trips to North Carolina to handle her father's affairs.

7) During that same time period, in order to make room for furniture she intended to move from her father's home in North Carolina, Plaintiff moved some of her belongings out of her townhome.

8) While Plaintiff was away, at least one of Plaintiff's children regularly stayed in the townhome.

Count 1 **(Wrongful Eviction)**

9) The allegations in paragraphs 1 through 8 are incorporated by reference as if set forth in full herein.

10) On or about the beginning of August 2017, Plaintiff travelled from Washington, DC to North Carolina.

11) When Plaintiff returned from this trip in September 2017, all of her belongings had been removed from the townhome.

12) Contractors or employees of Defendant were painting, plastering and otherwise preparing the unit for a new tenant. Shelving and other wall mounts, as well as blinds, and bedroom and closet doors had been removed.

13) Representatives of Defendant informed Plaintiff that the unit was vacant, but that she could submit a rental application for the unit.

14) At no time prior to September 2017 did Plaintiff inform Defendant, or its predecessor, either verbally or in writing, that she had vacated the unit.

15) At no time prior to September 2017 did Defendant or its predecessor provide Plaintiff with a valid written notice to quit or vacate, nor did Defendant or its predecessor commence eviction proceedings in the Landlord Tenant Branch of this Court.

16) Consequently, Plaintiff is entitled to damages in an amount to be determined at trial.

Count 2
(Conversion)

17) The allegations in paragraphs 1 through 16 are incorporated by reference as if set forth in full herein.

18) Plaintiff never provided Defendant permission to remove her belongings from the townhome.

19) Defendant had no independent right to remove Plaintiff's belongings from her townhome.

20) As a result, Plaintiff lost two bedroom sets, furnishings for two bathrooms, a variety of kitchenware, cable equipment, approximately four bags of clothes, various blankets, sheets, towels, and cleaning supplies, miscellaneous toys, and a number of personal documents.

21) Consequently, she is entitled to damages in an amount to be determined at trial.

Count 3
(Intentional Infliction of Emotional Distress)

22) The allegations in paragraphs 1 through 21 are incorporated by reference as if set forth in full herein.

23) When Defendant removed Plaintiff's belongings from the unit, and when Defendant informed Plaintiff that the unit was vacant, knowing or with reckless disregard for the fact that neither it nor its predecessor had commenced a lawful eviction action or received notice that Plaintiff had vacated the unit, Defendant intentionally or recklessly engaged in extreme and outrageous conduct.

24) Consequently, Plaintiff suffered severe emotional distress and she is entitled to damages in an amount to be determined at trial.

Count 4
(Negligence)

25) The allegations in paragraphs 1 through 24 are incorporated by reference as if set forth in full herein.

26) As the property manager of Sayles Place, Defendant had a duty to act with reasonable care in the performance of those duties.

27) Defendant breached that duty of care when it, without first securing written or verbal notice that Plaintiff had vacated the unit, and without commencing a lawful eviction action in the Landlord Tenant Branch of this Court, removed Plaintiff's belongings from the unit and informed Plaintiff that the unit was vacant.

28) As a result, Plaintiff lost two bedroom sets, furnishings for two bathrooms, a variety of kitchenware, cable equipment, approximately four bags of clothes, various blankets, sheets, tools, and cleaning supplies, miscellaneous toys, and a number of personal documents.

29) Consequently, Plaintiff is entitled to damages in an amount to be determined at trial.

Count 5
(Negligent Infliction of Emotional Distress)

30) The allegations in paragraphs 1 through 29 are incorporated by reference as if set forth in full herein.

31) As a property manager, Defendant had a special relationship with Plaintiff that necessarily implicated Plaintiff's well-being.

32) Defendant's removal of Plaintiff's belongings from her unit without notice from Plaintiff had she vacated the unit and without commencing lawful eviction proceedings, and thereafter informing her that the unit was vacant, created an especially likely risk that Plaintiff would suffer serious emotional distress.

33) Because of the actions of Defendant, Plaintiff did in fact suffer serious emotional distress, and she is entitled to damages in an amount to be determined at trial.

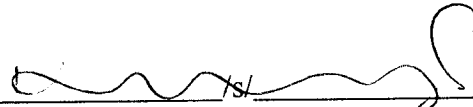
Prayer for Relief

WHEREFORE, Plaintiff demands judgment against Defendant for compensatory damages for all harms suffered and punitive damages in amounts to determined at trial, attorney's fees and costs, and any other relief the Court deems just and proper.

Jury Demand

Pursuant to Super. Ct. Civ. R. 38, Plaintiff respectfully requests a trial by a jury of her peers on all issues so triable.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Kristin L. McGough', is written over a horizontal line.

Kristin L. McGough, DC Bar No. 991209
400 Fifth Street, N.W.
Suite 350
Washington, DC 20001
(202) 681-6410 (t)
(866) 904-4117 (f)
kristin@kmcgoughlaw.com



Superior Court of the District of Columbia
CIVIL DIVISION
Civil Actions Branch
500 Indiana Avenue, N.W., Suite 5000 Washington, D.C. 20001
Telephone: (202) 879-1133 Website: www.dccourts.gov

Valerica Alston

Plaintiff

vs.

Case Number **18-0001086**

E&G Group, LLC

Defendant

SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty one (21) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the plaintiff who is suing you. The Answerer's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

You are also required to file the original Answer with the Court in Suite 5000 at 500 Indiana Avenue, N.W., between 8:30 a.m. and 5:00 p.m., Mondays through Fridays or between 9:00 a.m. and 12:00 noon on Saturdays. You may file the original Answer with the Court either before you serve a copy of the Answer on the plaintiff or within seven (7) days after you have served the plaintiff. If you fail to file an Answer, judgment by default may be entered against you for the relief demanded in the complaint.

Kristin L. McGough

Name of Plaintiff's Attorney

400 Fifth Street, N.W., Suite 350

Address

Washington, DC 20001

(202) 681-6410

Telephone

如需翻译, 请打电话 (202) 879-4828

Veuillez appeler au (202) 879-4828 pour une traduction

Để có mặt dịch, hãy gọi (202) 879-4828

번역을 원하시면, (202) 879-4828 로 전화하십시오. (202) 879-4828 으로 전화하십시오

Clerk of the Court

By

Deputy Clerk

Date

2-15-18

IMPORTANT: IF YOU FAIL TO FILE AN ANSWER WITHIN THE TIME STATED ABOVE, OR IF, AFTER YOU ANSWER, YOU FAIL TO APPEAR AT ANY TIME THE COURT NOTIFIES YOU TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY DAMAGES OR OTHER RELIEF DEMANDED IN THE COMPLAINT. IF THIS OCCURS, YOUR WAGES MAY BE ATTACHED OR WITHHELD OR PERSONAL PROPERTY OR REAL ESTATE YOU OWN MAY BE TAKEN AND SOLD TO PAY THE JUDGMENT. IF YOU INTEND TO OPPOSE THIS ACTION, DO NOT FAIL TO ANSWER WITHIN THE REQUIRED TIME.

If you wish to talk to a lawyer and feel that you cannot afford to pay a fee to a lawyer, promptly contact one of the offices of the Legal Aid Society (202-628-1161) or the Neighborhood Legal Services (202-279-5100) for help or come to Suite 5000 at 500 Indiana Avenue, N.W. for more information concerning places where you may ask for such help

See reverse side for Spanish translation

Vea al dorso la traducción al español



TRIBUNAL SUPERIOR DEL DISTRITO DE COLUMBIA
DIVISIÓN CIVIL
Sección de Acciones Civiles
500 Indiana Avenue, N.W., Suite 5000, Washington, D.C. 20001
Teléfono: (202) 879-1133 Sitio web: www.dccourts.gov

contra Demandante

Número de Caso: 18-0001086

Demandado

CITATORIO

Al susodicho Demandado:

Por la presente se le cita a comparecer y se le requiere entregar una Contestación a la Demanda adjunta, sea en persona o por medio de un abogado, en el plazo de veintidós (22) días contados después que usted haya recibido este citatorio, excluyendo el día mismo de la entrega del citatorio. Si usted está siendo demandado en calidad de oficial o agente del Gobierno de los Estados Unidos de Norteamérica o del Gobierno del Distrito de Columbia, tiene usted sesenta (60) días, contados después que usted haya recibido este citatorio, para entregar su Contestación. Tiene que enviarle por correo una copia de su Contestación al abogado de la parte demandante. El nombre y dirección del abogado aparecen al final de este documento. Si el demandado no tiene abogado, tiene que enviarle al demandante una copia de la Contestación por correo a la dirección que aparece en este Citatorio.

A usted también se le requiere presentar la Contestación original al Tribunal en la Oficina 5000, sito en 500 Indiana Avenue, N.W., entre las 8:30 a.m. y 5:00 p.m., de lunes a viernes o entre las 9:00 a.m. y las 12:00 del mediodía los sábados. Usted puede presentar la Contestación original ante el Juez ya sea antes que usted le entregue al demandante una copia de la Contestación o en el plazo de siete (7) días de haberle hecho la entrega al demandante. Si usted incumple con presentar una Contestación, podría dictarse un fallo en rebeldía contra usted para que se haga efectivo el desagravio que se busca en la demanda.

SECRETARIO DEL TRIBUNAL

Nombre del abogado del Demandante

Por:

Subsecretario

Dirección

Fecha

Teléfono

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IMPORTANTE: SI USTED INCUMPLE CON PRESENTAR UNA CONTESTACIÓN EN EL PLAZO ANTES MENCIONADO O, SI LUEGO DE CONTESTAR, USTED NO COMPARECE CUANDO LE AVISE EL JUZGADO, PODRÍA DICTARSE UN FALLO EN REBELDÍA CONTRA USTED PARA QUE SE LE COBRE LOS DAÑOS Y PERJUICIOS U OTRO DESAGRAVIO QUE SE BUSQUE EN LA DEMANDA. SI ESTO OCURRE, PODRÍA RETENÉRSELE SUS INGRESOS, O PODRÍA TOMÁRSELE SUS BIENES PERSONALES O BIENES RAÍCES Y SER VENDIDOS PARA PAGAR EL FALLO. SI USTED PRETENDE Oponerse a esta acción, NO DEJE DE CONTESTAR LA DEMANDA DENTRO DEL PLAZO EXIGIDO.

Si desea conversar con un abogado y le parece que no puede pagarle a uno, llame pronto a una de nuestras oficinas del Legal Aid Society (202-628-1161) o el Neighborhood Legal Services (202-279-5100) para pedir ayuda o venga a la Oficina 5000 del 500 Indiana Avenue, N.W., para informarse sobre otros lugares donde puede pedir ayuda al respecto.

Vea al dorso el original en inglés
See reverse side for English original