

(“FedEx Ground”), drove onto the parking area adjacent to the FedEx Ground, Mirabel Road facility; parked his vehicle in the parking area immediately in front of and adjacent to the FedEx Ground facility; walked to the entrance of the facility where he met with Securitas security guards, who, after the Shooter created somewhat of a disruption, denied him entrance into the facility beyond the ‘gateway’ area.

3. After being denied access, the Shooter announced that he was going to go to his car and return, purportedly, with a FedEx Ground badge and/or identification card, in order to gain entrance beyond the gateway area.

4. Approximately four minutes later, the Shooter exited his vehicle armed with an automatic or semi-automatic rifle and began randomly firing at individuals in the parking area.

5. After firing multiple rounds in the parking area and shooting several individuals, the Shooter proceeded into the facility entrance (the “Gateway Area”), where he continued shooting.

6. The Shooter then walked back into the parking area where he continued his shooting rampage, then re-entered the building and killed himself.

7. In total, the Shooter shot and killed eight FedEx Ground employees and injured at least five others (plaintiffs understand that four of the injured were injured by gunfire and one individual was presumably injured in the shooting rampage but was not actually shot) before killing himself.

8. The Shooter was a former FedEx Ground employee who was employed at the 8951 Mirabel Road FedEx Ground facility between approximately August through October, 2020.

9. At all times relevant hereto, Securitas Security Services, USA, Inc. provided unarmed security guard services to the FedEx Ground, Mirabel Road facility.

10. Plaintiffs bring this action alleging that Defendant Securitas Security Services, USA, Inc. (“Securitas”) failed to exercise ordinary care in the carrying out of its duties on and prior to April 15, 2021 and that Defendant’s negligence or gross negligence was the direct and proximate cause and result of the severe injuries and ultimate death suffered by Jaswinder Singh, and the severe injuries inflicted upon Harpreet Singh and Lakhwinder Kaur.

THE PARTIES

11. At all times relevant hereto, Jaswinder Singh was, prior to his death, lawfully admitted for permanent residence in the United States and domiciled in Greenwood, Johnson County, Indiana.

12. Gurinder Singh Bains is the surviving son of Jaswinder Singh and brings this action as the personal representative of the Estate of Jaswinder Singh to recover damages for Jaswinder Singh’s wrongful death and, by the filing of this action, submits to the jurisdiction and venue of this honorable Court.

13. At all times relevant hereto, Harpreet Singh was a citizen of the State of Indiana.

14. At all times relevant hereto, Dilpreet Kaur was the wife of Harpreet Singh and a citizen of the State of Indiana.

15. At the time of the shooting at the FedEx Ground facility, Lakhwinder Kaur was lawfully admitted for permanent residence in the United States and domiciled in Indianapolis, Indiana. Lakhwinder Kaur is currently domiciled in Bakersfield, California.

16. Defendant Securitas is a Delaware corporation with its principal place of business at 9 Campus Drive, Parsippany, New Jersey 07054.

17. Defendant Securitas has employees and does business, among other places, at the FedEx Ground facility located at 8951 Mirabel Road, Indianapolis, Indiana.

18. Upon information and belief, Defendant Securitas entered into an agreement under which agreement Securitas was to provide security services, including security officers, to various Federal Express Operational Business Segments, which included the FedEx Ground Package Mirabel Road facility.

19. Defendant Securitas has, as its Registered Agent in Indiana, National Registered Agents, Inc.

20. National Registered Agents, Inc. has, as its Registered Office, 334 North Senate Avenue, Indianapolis, IN 46204.

21. Service upon Defendant Securitas may be perfected by delivering a Summons and Complaint to its Registered Agent.

22. This Court has jurisdiction over this matter under 28 U.S.C. § 1332 because the matter in controversy exceeds the sum of \$75,000, exclusive of interest and costs, and is between citizens of different states.

23. This Court has personal jurisdiction over Defendant Securitas as it has substantial and purposeful contacts with Indiana, and the causes of action arise out of or relate to those contacts.

24. Venue is appropriate in this Court as this is where Plaintiffs' causes of action accrued.

FACTS

25. At all times relevant hereto, Jaswinder Singh was an employee of FedEx Ground and, on April 15, 2021, was shot and killed by a former employee of FedEx Ground at the FedEx Ground Package facility located at 8951 Mirabel Road, Indianapolis, Indiana.

26. At all times relevant hereto, Harpreet Singh was an employee of FedEx Ground and, on April 15, 2021, was shot and injured by a former employee of FedEx Ground at the FedEx Ground Package facility located at 8951 Mirabel Road, Indianapolis, Indiana.

27. At all times relevant hereto, Dilpreet Kaur was the lawful spouse of Harpreet Singh.

28. At all times relevant hereto, Lakhwinder Kaur was an employee of FedEx Ground and, on April 15, 2021, was shot and injured by a former employee of FedEx Ground at the FedEx Ground Package facility located at 8951 Mirabel Road, Indianapolis, Indiana.

29. In or around August 2020, FedEx Ground Package hired the then 18-year-old Shooter as a part-time package handler to work at the FedEx Ground facility located at 8951 Mirabel Road, Indianapolis, Indiana.

30. During the Shooter's employment by FedEx Ground from approximately August 2020 through October 2020, the Shooter exhibited emotional and mental instability on multiple instances that would cause an ordinary, reasonable person to believe that the Shooter was potentially violent and/or dangerous to himself and others.

31. At all times relevant hereto, Defendant Securitas knew or should have known of the Shooter's potentially violent and dangerous propensities, which were reasonably likely to result in injuries to himself and others.

32. Prior to the April 15, 2021 mass shooting event at the FedEx Ground Package Mirabel Road facility, Defendant Securitas, including its security officers assigned to the FedEx Ground Mirabel Road facility, were aware of prior active shootings at other FedEx Ground Package facilities, including an active shooter event in Bedford Park, Illinois and a second active shooter event in Kennesaw, Georgia.

33. Prior to the April 15, 2021 mass shooting event at the FedEx Ground Package Mirabel Road facility, FedEx hired an unrelated entity, Threat Assessment Group, Inc. (“Threat Assessment Group” or “TAG”) to assist it in the design, creation, implementation, assessment, monitoring, and modification of a FedEx Workplace Violence Prevention program, which was to be instituted at all FedEx Ground Package facilities, including the Mirabel Road FedEx Ground Package facility.

34. At all times relevant hereto, and specifically prior to the active shooter event, which is the subject of this lawsuit, Threat Assessment Group provided continuing consulting, feedback, and recommendations to FedEx which in turn provided such information and recommendations to its’ Operating Groups, including, but not necessarily limited to, FedEx Ground and FedEx Express from data generated through Workplace Violence Incident Reports.

35. All data regarding workplace violence incidents from the various FedEx Business Operating Segments were funneled into the FedEx corporate offices in Memphis, Tennessee where they (the Reports) were analyzed by FedEx Corporation’s Security Data Research & Analysis (“SDR&A”) division and were known or should have been known to be available to Defendant Securitas.

36. All Workplace Violence Incident Reports from FedEx Ground’s 500+ package handling facilities and other Business Operating Segments went directly into the FedEx ‘Security Information Management System’ (“SIMS”) storage database where the information was analyzed by FedEx Corporation’s SDR&A’s division.

37. FedEx Corporation’s SDR&A division analyzes all data generated from corporate-wide workplace violence incidents and incident reports and provides FedEx Corporation’s Security Leadership Team with quarterly reports breaking down all security events.

38. FedEx Corporation's SDR&A division further prepared and provided trend information, by operating company, and annual comparisons and categorizations including violent and non-violent and customer/client/criminal data to FedEx Corporation management.

39. The resulting trend information, comparisons and categories of violence provided to FedEx Corporation was shared with FedEx Corporation's Operating Units, including FedEx Ground and FedEx Express, and were known or should have been known to be available to Defendant Securitas.

40. At all times relevant hereto, upon information and belief, FedEx Express had one or more as yet to be identified Security Specialists assigned to and physically stationed at the FedEx Ground Package Mirabel Road facility where the April 15, 2020 mass shooting event at issue in this action occurred.

41. Security Specialists investigate and report on Workplace Violence events and other criminal incidents at their assigned facilities and are privy to trend information, comparisons and categories of violence provided to FedEx Corporation and/or were available to Securitas who were, or should have been aware, of the foreseeability of an act of violence on the premises.

42. Activity reports and operational performance/incident reports prepared by Securitas personnel assigned to the Mirabel Road Ground Package facility were reviewed and monitored by FedEx Express Security Specialists and made available to and reviewed by FedEx, FedEx Ground management and FedEx Express management.

43. At all times relevant hereto, Defendant was aware of active shooter events being the, or one of the, leading physical security threats and that active shooter events have become a common cause of occupational fatalities in recent years and of its need to adequately prepare for and provide adequate security to minimize exposure to such events.

44. At and prior to the time of the April 15, 2021 shooting, Defendant Securitas provided unarmed security guard services to the Mirabel Road FedEx Ground Package facility.

45. At all times relevant hereto, Defendant Securitas, as one of the world's, or even the world's, largest providers of security services to business and industry was aware of active shooter events being the, or one of the, leading physical security threats to business and industry in the United States, and that active shooter events have become a common cause of occupational fatalities in recent years, and of its need and duty to adequately prepare for and provide adequate security to minimize exposure to such events to its clients, including, but not limited to. FedEx, FedEx Ground, FedEx Express, and FedEx Services.

46. On April 15, 2021 at approximately 10:54 p.m., the Shooter and former employee of FedEx Ground arrived at the 8951 Mirabel Road Ground Package facility.

47. Upon information and belief, the Shooter entered an unrestricted, ungated, general parking area adjacent to the FedEx Mirabel Road Ground Package facility and parked his vehicle adjacent to the sidewalk leading to the FedEx Ground entrance doors.

48. The parking area described in the immediately above paragraph was off of and adjacent to a public road (Mirabel Road) and employees were not required to park in such area.

49. There were no gates controlling the parking area described in the preceding paragraphs, nor were there any warning signs about the area being reserved for 'employees only' or that such area was in any way restricted.

50. Upon parking his vehicle as described above, the Shooter exited his vehicle and made his way to the entrance to the facility.

51. At all times relevant hereto, there were various surveillance video cameras located on the 8951 Mirabel Road Ground Package facility which, among other viewing capabilities, were capable of viewing:

- a. the Shooter driving onto the premises;
- b. the Shooter parking his vehicle adjacent to the sidewalk approximately 30 yards from the main entrance doors of the facility;
- c. the Shooter after he exited his vehicle and walking to the facility entrance area;
- d. the Shooter exiting the facility after confronting security personnel and announcing his intention to return with a badge or ID card, which would grant him access into the facility;
- e. the Shooter walking along the sidewalk area to his vehicle, which was parked adjacent to the FedEx Ground building;
- f. the Shooter exiting his vehicle armed with at least an automatic or semi-automatic rifle and walking toward the employee and visitor entrances while indiscriminately shooting people and vehicles in the parking area.

52. After initially parking his car, which was clearly visible to Securitas security personnel, upon information and belief, the Securitas security officers allowed the Shooter to pass through the turnstiles, after which he demanded to see a manager of the facility.

53. After the Shooter first entered the FedEx Ground facility and confronted the Securitas security officer(s), the Shooter began banging on a door and causing a disturbance and was thereby demonstrative of an individual displaying discernable warning signs of a potentially dangerous individual and a possible volatile individual.

54. Upon information and belief, after being denied entrance into the facility by Securitas security personnel, the Shooter announced that he was going to return to his car and get his FedEx badge/ID card and return.

55. Upon information and belief, the Shooter's badge or FedEx identification card was not turned-in or recovered by FedEx Ground upon his termination.

56. Upon information and belief, Plaintiffs reasonably believe that, after exiting the facility and returning to his vehicle, the Shooter walked down the sidewalk adjacent to the FedEx Ground building, went to his parked vehicle approximately 30 yards from the employee and visitor doors to the facility and sat in his vehicle for approximately four minutes before exiting his vehicle and while making his way back to the facility entrance doors, indiscriminately shooting several FedEx Ground Package employees in the parking area and then re-entering the facility and shooting several other FedEx Ground personnel.

57. After the Shooter completed his indiscriminate shooting spree in the parking area, he entered the facility where he continued his indiscriminate shooting rampage, then exited the building only to re-enter the building and then kill himself.

58. Jaswinder Singh had recently started working at FedEx and was waiting to pick up his first paycheck when a high-velocity caliber bullet penetrated his lower left back traveling through his body and out his front right flank. Jaswinder Singh is survived by his wife, his children, and grandchildren.

59. Harpreet Singh, a husband and father of three, had been working at the FedEx facility for six months. Harpreet had just finished his shift and was standing in line to pick up his paycheck when he heard the first shot. The bullet struck him in the head and lodged in his temple.

Blood ran down his face as he jumped over a walled security area to hide—huddled and silent—as he waited for the shooting to end and hoped not to lose consciousness.

60. Lakhwinder Kaur had been working at FedEx since June 2020. She had just arrived for her shift and was sitting in a chair near the line for paycheck pick-up when she heard pops that sounded like fireworks and saw people running. When Lakhwinder Kaur saw a co-worker slump over, she attempted to go to him to offer aid when a bullet shot past her, lacerating her left arm. Others yelled at her to lie down so she briefly took shelter under a chair before she moved with coworkers into an office to hide until law enforcement arrived and led Lakhwinder Kaur and her coworkers outside the building.

COUNT I
Negligence

61. Plaintiffs incorporate paragraphs 1 through 60 as though fully and completely stated verbatim herein.

62. At all times relevant hereto, Defendant had a duty to the Plaintiffs, as well as others lawfully on the premises, to exercise ordinary diligence and care against unreasonable risk of harm.

63. At all times relevant hereto, Defendant had a duty to the Plaintiffs, and all others lawfully on the premises, to exercise ordinary care in the performance of its duties and responsibilities.

64. At all times relevant hereto, Defendant had a duty to exercise reasonable, ordinary care to ensure there was an adequate and appropriate system enabling management and security personnel to be able to warn employees, visitors, and others lawfully on the premises of a dangerous condition or situation, including an active shooter, on the premises.

65. At all times relevant hereto, Defendant owed a duty to the plaintiffs and all others lawfully on the premises to exercise ordinary care to avoid conduct that could reasonably be

expected to cause or inflict harm.

66. At all times relevant hereto, Defendant had a duty to ensure appropriate and reasonable policies, procedures, guidelines, and training were in place to warn, and then initiate reasonable measures to protect employees and others lawfully on the premises from a dangerous condition or situation, including an active shooter, on the premises.

67. At all times relevant hereto, Defendant had a duty to use reasonable and ordinary care to keep the premises safe.

68. At all times relevant hereto, Defendant owed a duty of care to the Plaintiffs to keep the Premises at issue safe from foreseeable, unlawful acts and dangerous conditions of which they knew or should have known existed on the Premises.

69. The duties and obligations to exercise ordinary care in the performance of its duties owed to the Plaintiffs by Defendant are imputable to its employees.

70. At all times relevant hereto, Defendant, including its applicable employees:

- a. Were aware of an active shooter event occurring at a substantially similar FedEx Ground Package facility located in Bedford Park, Illinois;
- b. Were aware of an active shooter event occurring at a substantially similar FedEx Ground Package facility located in Kennesaw, Georgia;
- c. Were aware of events involving FedEx Ground employees and former employees shooting or harming FedEx employees;
- d. Were aware of active shooter events occurring at other than FedEx Ground Package facilities;
- e. Were aware of the possibility that an active shooter event was foreseeable and could occur almost anywhere; and

- f. Knew or should have known of the potential danger created by an irate or unstable individual or former employee coming onto the property and causing injury, harm, or possible death to such individuals.

71. Defendant breached its duty to exercise ordinary care in the performance of its duties by, among other things:

- a. failing to ensure proper procedures were in place to adequately monitor personnel, visitors, and employees in the immediate area of the Mirabel Road FedEx Ground Package facility, including the general parking area adjacent to the building;
- b. failing to ensure proper procedures were in place to adequately monitor video surveillance images;
- c. failing to have adequate personnel in place to adequately monitor video surveillance images;
- d. failing to properly monitor video surveillance camera images;
- e. failing to ensure that the entrances/gateway to the FedEx Mirabel Road facility were adequate to identify individuals and keep those people without a legitimate purpose or acting in a potentially dangerous manner from entering the facility;
- f. failing to ensure that the entrance to the physical plant was secure and adequate to deny access to individuals appearing to be intent on entering for an illegitimate purpose or with an intent to do harm;
- g. failing to ensure an adequate warning mechanism was in place to warn of known dangerous conditions on the property;
- h. failing to ensure its security officers assigned to the Mirabel Road facility were

- adequately and fully trained as to potential active shooter situations;
- i. failing to ensure its security officers were properly trained to properly observe individuals demonstrating disruptive or potentially disruptive behaviors;
 - j. failing to observe or in any way monitor the Shooter after the Shooter demonstrated disruptive or potentially disruptive behaviors, then left the gateway area and announced that he was going to return and go into the facility;
 - k. failing to secure entrances to the 8951 Mirabel Road facility after the Shooter could be observed walking from his car, returning to the entrance area and discharging the firearm(s) he was carrying from his vehicle.
 - l. failing to use reasonable care to ensure the plaintiffs had safe working conditions;
 - m. failing to adequately warn of the impending danger as the Shooter exited his vehicle, armed with automatic or semi-automatic weaponry;
 - n. failing to respond and secure the premises and entrances to the premises when the Shooter exited his vehicle, armed with automatic or semi-automatic weaponry and began indiscriminately shooting in the parking area adjacent to the premises;
 - o. failing to keep the Mirabel Road Premises safe from foreseeable, unlawful acts and dangerous conditions of which they knew or should have known existed on the Premises;
 - p. failing to employ appropriate and adequate systems to prevent workplace violence and violence created by intrusion into the facility by individuals intent on causing harm;

- q. failing to properly create, implement, monitor, assess, and recommend amendments to security procedures consistent with data and information readily available to them;
- r. failing to properly train, monitor and supervise those individuals and employees responsible for implementing, monitoring, assessing, supervising, and controlling the FedEx Workplace Violence Program;
- s. failing to have proper procedures in place to adequately monitor video surveillance monitors;
- t. failing to have adequate personnel in place to adequately monitor video surveillance monitors;
- u. failing to properly monitor video surveillance cameras;
- v. maintaining unsafe and insecure entrances to the facility;
- w. failing to ensure that the entrance to the physical plant was adequate to secure and adequate to deny access to individuals intent on entering the FedEx Ground facility for an illegitimate purpose or with an intent to do harm;
- x. failing to ensure an adequate warning mechanism was in place to warn of known dangerous conditions on the property;
- y. failing to ensure its security officers assigned to the Mirabel Road facility were adequately and fully trained;
- z. failing to ensure its security officers assigned to the Mirabel Road facility were fully and appropriately trained to properly observe individuals demonstrating disruptive or potentially disruptive behaviors;
- aa. failing to observe or in any way monitor the Shooter after the Shooter

demonstrated disruptive or potentially disruptive behavior and/or created a disturbance and then left the area announcing that he was going to return in order to gain entrance into the facility; and

bb. allowing the Shooter to enter the facility after he started his return to the entrances to the facility and began indiscriminately shooting in the parking area.

72. As a direct and proximate result of the actions and/or inactions of the Defendant and because of the breaches of duties owed to the Plaintiffs and others lawfully on the premises, the Shooter, on April 15, 2021, was allowed to carry out his indiscriminate shooting and injuring of Harpreet Singh and Lakhwinder Kaur and murdering of Jaswinder Singh on the premises.

73. As a direct and proximate result of the actions and/or inactions of the Defendant, including those of its employees, the Plaintiffs incurred and suffered general and special damages to be proven with certainty at trial.

COUNT II
Negligence – Failure to Provide Adequate Security

74. Plaintiffs fully incorporate paragraphs 1 through 60 as though fully and completely stated verbatim herein.

75. At all times relevant hereto, Defendant had a duty to the Plaintiffs and others lawfully on the premises, to exercise ordinary diligence and care against unreasonable risk of harm.

76. At all times relevant hereto, Defendant had a duty to the Plaintiffs, and others lawfully on the premises, to exercise ordinary care in the performance of its duties and responsibilities as it relates to its duties at the Mirabel Road Ground Package Premises.

77. Defendant breached its duty of care owed to the Plaintiffs by, among other things:
a. failing to have or ensure proper procedures were in place to adequately monitor

- video surveillance cameras;
- b. failing to have, or in the alternative recommend, adequate personnel be in place to adequately monitor video surveillance cameras;
- c. failing to properly monitor video surveillance cameras;
- d. maintaining an unsafe and insecure entrance to the facility;
- e. failing to ensure that the entrances to the physical plant were secure;
- f. failing to ensure, or in the alternative, recommend an adequate warning mechanism be in place to warn of known dangerous conditions on the property, including the provision of an adequate warning system to warn of an active shooter situation on the Premises;
- g. failing to ensure security personnel were adequately and fully trained; and
- h. failing to observe or in any way monitor the Shooter after he created a disturbance, left the area, and announced that he was going to return in order to gain entrance into the facility.

78. As a direct and proximate result of the actions and/or inactions of the Defendant and because of the breaches of duties owed to the Plaintiffs and others lawfully on the premises, the Shooter, on April 15, 2021, was allowed to carry out his indiscriminate shooting and injuring of Harpreet Singh and Lakhwinder Kaur and murdering of Jaswinder Singh on the premises.

79. As a direct and proximate result of the actions and/or inactions of the Defendant, including those of its employees, the Plaintiffs incurred and suffered general and special damages to be proven with certainty at trial.

COUNT III
Negligent Hiring, Training & Supervision

80. Plaintiffs fully incorporate paragraphs 1 through 60 as though fully and completely

stated verbatim herein.

81. At all times relevant hereto, Defendant owed a duty to Plaintiffs, and others lawfully on the premises to exercise ordinary care in the selection, hiring, training and supervision of its employees, and to ensure proper policies, procedures and guidelines were in place and properly carried out.

82. Defendant was negligent in the hiring, training, and supervision of its employees by, among other things:

- a. failing to have or ensure proper procedures were in place to adequately monitor video surveillance cameras;
- b. failing to have, or in the alternative recommend, adequate personnel be in place to adequately monitor video surveillance cameras;
- c. failing to properly monitor video surveillance cameras;
- d. failing to ensure personnel were trained to properly maintain a safe and secure entrance to the facility;
- e. failing to ensure that personnel were properly trained to ensure the entrances to the physical plant were secure;
- f. failing to ensure security personnel were adequately and fully trained to respond to dangerous or potentially dangerous conditions on the premises, including, but not limited to, the failure to recognize the Shooter as being a potential threat to the safety and/or security of the premises from potentially dangerous or injurious acts;
- g. failing to ensure security personnel were trained and properly supervised in recognizing individuals demonstrating disruptive or potentially disruptive behavior.

83. As a direct and proximate result of the actions and/or inactions of the Defendant and because of the breaches of duties owed to the Plaintiffs and others lawfully on the premises, the Shooter, on April 15, 2021, was allowed to carry out his indiscriminate shooting and injuring of Harpreet Singh and Lakhwinder Kaur and murdering of Jaswinder Singh on the premises.

84. As a direct and proximate result of the actions and/or inactions of the Defendant, including those of its employees, the Plaintiffs incurred and suffered general and special damages to be proven with certainty at trial.

WHEREFORE, Plaintiffs demand they be awarded:

- 1) Judgment against Defendant, in an amount determined by a jury;
- 2) Attorney fees and costs for this action and interest as allowable by law;
- 3) TRIAL BY JURY; and
- 4) For such other and further relief as this Honorable Court deems just and proper.

Respectfully submitted this 13th day of April 2023.

/s/ Joseph N. Williams

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