



AlaFile E-Notice

31-CV-2023-900408.00

To: JEREMY LYNN KNOWLES
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NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA

SHUNDRA DAVIS, PERSONAL REP OF ESTATE OF AYDAH G. DIMASO V. STATE OF A
31-CV-2023-900408.00

The following complaint was FILED on 9/29/2023 12:59:57 PM

Notice Date: 9/29/2023 12:59:57 PM

CASSANDRA JOHNSON
CIRCUIT COURT CLERK
ETOWAH COUNTY, ALABAMA
801 FORREST AVENUE
SUITE 202
GADSDEN, AL, 35901

256-549-2150



ELECTRONICALLY FILED
9/29/2023 12:59 PM
31-CV-2023-900408.00
CIRCUIT COURT OF
ETOWAH COUNTY, ALABAMA
CASSANDRA JOHNSON, CLERK

State of Alabama Unified Judicial System Form ARCiv-93 Rev. 9/18	COVER SHEET CIRCUIT COURT - CIVIL CASE (Not For Domestic Relations Cases)	Case: 31 Date of Filing: 09/29/2023 Judge Code:
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GENERAL INFORMATION

IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA SHUNDRA DAVIS, PERSONAL REP OF ESTATE OF AYDAH G. DIMASO v. STATE OF ALABAMA DHR ET AL

First Plaintiff: Business Individual Government Other
First Defendant: Business Individual Government Other

NATURE OF SUIT: Select primary cause of action, by checking box (check only one) that best characterizes your action:

TORTS: PERSONAL INJURY

- WDEA - Wrongful Death
- TONG - Negligence: General
- TOMV - Negligence: Motor Vehicle
- TOWA - Wantonness
- TOPL - Product Liability/AEMLD
- TOMM - Malpractice-Medical
- TOLM - Malpractice-Legal
- TOOM - Malpractice-Other
- TBFM - Fraud/Bad Faith/Misrepresentation
- TOXX - Other: _____

TORTS: PERSONAL INJURY

- TOPE - Personal Property
- TORE - Real Property

OTHER CIVIL FILINGS

- ABAN - Abandoned Automobile
- ACCT - Account & Nonmortgage
- APAA - Administrative Agency Appeal
- ADPA - Administrative Procedure Act
- ANPS - Adults in Need of Protective Service

OTHER CIVIL FILINGS (cont'd)

- MSXX - Birth/Death Certificate Modification/Bond Forfeiture Appeal/Enforcement of Agency Subpoena/Petition to Preserve
- CVRT - Civil Rights
- COND - Condemnation/Eminent Domain/Right-of-Way
- CTMP - Contempt of Court
- CONT - Contract/Ejectment/Writ of Seizure
- TOCN - Conversion
- EQND - Equity Non-Damages Actions/Declaratory Judgment/Injunction Election Contest/Quiet Title/Sale For Division
- CVUD - Eviction Appeal/Unlawful Detainer
- FORJ - Foreign Judgment
- FORF - Fruits of Crime Forfeiture
- MSHC - Habeas Corpus/Extraordinary Writ/Mandamus/Prohibition
- PFAB - Protection From Abuse
- EPFA - Elder Protection From Abuse
- QTLB - Quiet Title Land Bank
- FELA - Railroad/Seaman (FELA)
- RPRO - Real Property
- WTEG - Will/Trust/Estate/Guardianship/Conservatorship
- COMP - Workers' Compensation
- CVXX - Miscellaneous Circuit Civil Case

ORIGIN: F INITIAL FILING A APPEAL FROM DISTRICT COURT O OTHER
 R REMANDED T TRANSFERRED FROM OTHER CIRCUIT COURT

HAS JURY TRIAL BEEN DEMANDED? YES NO

Note: Checking "Yes" does not constitute a demand for a jury trial. (See Rules 38 and 39, Ala.R.Civ.P, for procedure)

RELIEF REQUESTED: MONETARY AWARD REQUESTED NO MONETARY AWARD REQUESTED

ATTORNEY CODE:

KNO016

9/29/2023 12:59:51 PM
Date

/s/ JEREMY LYNN KNOWLES
Signature of Attorney/Party filing this form

MEDIATION REQUESTED: YES NO UNDECIDED

Election to Proceed under the Alabama Rules for Expedited Civil Actions: YES NO



IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA

SHUNDRA DAVIS,)
as Personal Representative of the)
Estate of AYDAH GRACE DIMASO,)
deceased,)

Plaintiff,)

v.)

Case No.: CV2023-_____

STATE OF ALABAMA DEPARTMENT)
OF HUMAN RESOURCES;)
MANDY LAYTON, in her)
individual capacity;)
AMANDA MONTEITH, in her)
individual capacity;)
LYNN CARNES, in her)
individual capacity;)
NIKOLAS DIMASO;)
HALEY DEE METZ;)
FICTITIOUS DEFENDANT "A,")

is the individual and/or entity that breached the)
mandatory duty owed to Aydah Grace Dimaso)
by allowing her to remain in an unsafe)
environment exposed to ongoing abuse)
and/or neglect, which proximately caused)
the death of Aydah Grace Dimaso;)

FICTITIOUS DEFENDANT "B,")
is those employees of the State of Alabama)
Department of Human Resources who)
committed acts or omissions which violated)
specific laws, rules and/or regulations of the)
State of Alabama that were enacted or)
promulgated for the purpose of regulating)
the activities of the State of Alabama)
Department of Human Resources,)
proximately causing the)
death of Aydah Grace Dimaso;)

FICTITIOUS DEFENDANT "C,")
is those employees and/or representatives of)
the State of Alabama Department of Human)
Resources who acted negligently, willfully,)
maliciously, fraudulently, in bad faith and/or)
beyond their authority, or under a mistaken)
interpretation of law, proximately causing the)

death of Aydah Grace Dimaso;)
 FICTITIOUS DEFENDANT “D,”)
 is the person or persons whose negligence)
 or other wrongful conduct proximately)
 caused the death of Aydah Grace Dimaso)
 whose true and correct names are unknown)
 to the Plaintiff at this time, and will be added)
 by amendment when ascertained,)
)
 Defendants.)

COMPLAINT

STATEMENT OF THE PARTIES

1. Plaintiff Shundra Davis is over the age of nineteen (19) years and brings this civil action pursuant to Ala. Code § 6-5-410 as Personal Representative of the Estate of her deceased three-year-old granddaughter, Aydah Grace Dimaso, who died as a result of the negligence or wantonness of the Defendants. Mrs. Davis is the maternal grandmother of Aydah Grace Dimaso.

2. Defendant State of Alabama Department of Human Resources (hereinafter “the Department” or “DHR”) is a public corporation created and established by law. DHR is required by law to ensure that abused and neglected children receive protection and proper services.

3. Defendant Mandy Layton (hereinafter “Layton”) is over the age of nineteen (19) years and is a resident of the State of Alabama. At all material times, she was employed by the Jefferson County Department of Human Resources and is being sued in her individual capacity.

4. Defendant Amanda Monteith (hereinafter “Monteith”) is over the age of nineteen (19) years and is a resident of the State of Alabama. At all material times, she was employed by the Cherokee County Department of Human Resources and is being sued in her individual capacity.

5. Defendant Lynn Carnes (hereinafter “Carnes”) is over the age of nineteen (19) years and is a resident of the State of Alabama. At all material times, she was employed by the Etowah County Department of Human Resources and is being sued in her individual capacity.

6. Defendant Nikolas Dimaso is over the age of nineteen (19) years and is a resident of the State of Alabama. Dimaso is the biological father of Aydah Grace Dimaso.

7. Defendant Haley Dee Metz is over the age of nineteen (19) years and is a resident of the State of Alabama. Metz was the girlfriend of Nikolas Dimaso at all material times.

8. Fictitious Defendant “A” is the individual and/or entity that breached the mandatory duty owed to Aydah by allowing her to remain in an unsafe environment exposed to ongoing abuse and/or neglect which proximately caused the death of Aydah.

9. Fictitious Defendant “B” is the employee or employees of the Department who committed acts or omissions which violated specific laws, rules and/or regulations of the State of Alabama enacted or promulgated for the purpose of regulating the activities of the Department, proximately causing the death of Aydah.

10. Fictitious Defendant “C” is the employee or employees of the Department, who acted negligently, willfully, maliciously, fraudulently, in bad faith, beyond their authority and/or under a mistaken interpretation of law, proximately causing the death of Aydah.

11. Fictitious Defendant “D” is the person or persons whose negligence or other wrongful conduct proximately caused the death of Aydah whose true and correct identities are unknown to the Plaintiff at this time but will be added by amendment when ascertained.

12. No claims are being made against the State of Alabama.

STATEMENT OF FACTS

13. Defendants DHR, Layton, Monteith, Carnes and Fictitious Defendants “A”, “B”, “C” and “D” are the “DHR Defendants”.

14. Aydah Grace Dimaso was born on September 20, 2018. She was the daughter of Nikolas Dimaso (hereinafter “Dimaso”). Haley Dee Metz (hereinafter “Metz”) was Dimaso’s girlfriend.

15. The DHR Defendants had prior knowledge of Aydah, Dimaso, and Metz due to existing cases with DHR and numerous complaints concerning Aydah's safety.
16. These complaints specifically detailed:
 - a. Aydah's filthy living conditions included animal feces and urine throughout the home;
 - b. Allegations of neglect and physical abuse to Aydah by both Dimaso and Metz;
 - c. Reports of Dimaso's drug use, particularly his heroin addiction;
 - d. Observations of Aydah exhibiting sudden behavioral changes;
 - e. Instances where Dimaso was repeatedly absent and neglected Aydah's care.
17. The DHR Defendants failed to drug test and/or properly drug test Dimaso.
18. Despite the multiple allegations of child abuse and neglect, Aydah's custody remained in the care of Dimaso and Metz.
19. On October 4, 2021, a Gadsden, Alabama, police officer, during a welfare check, found Aydah unresponsive in a bathtub. Preliminary observations indicated she had been deceased for an extended period. Subsequent examinations revealed both recent and old bruises on her body. It was discovered Metz had advised Dimaso to place Aydah in the bathtub, believing it would keep her body temperature warm.
20. Dimaso confessed to physically abusing Aydah, including forcefully slamming her to the ground and kicking her in the stomach.
21. The Gadsden Police Department's investigation into Aydah's death revealed the following:
 - a. Aydah had over 50 signs of trauma covering her entire body;
 - b. A previously broken left arm was in the process of healing;
 - c. She had multiple healing rib fractures;
 - d. She had scratch marks from head to toe on her torso, her back, and her legs;
 - e. She had not been to a doctor since Dimaso obtained custody;
 - f. She had a large, very deep cut on the bottom of her entire foot; and
 - g. Dimaso had shaven her head.

22. The investigation determined the abuse that ultimately caused Aydah's death had been ongoing for at least three months.
23. The autopsy revealed that the extent of abuse Ayda had undergone in the preceding months had caused her body to shut down. Her immediate cause of death was ruled to be blunt force trauma of the head. Her manner of death was classified as a homicide.
24. Dimaso has been charged with Capital Murder and Conspiracy to Commit Aggravated Child abuse. He is currently awaiting trial.
25. Metz was charged with Aggravated Assault and Conspiracy to Commit Aggravated Assault. She is currently awaiting trial.
26. DHR Defendants had a mandatory duty, pursuant to the Rules and Regulations of the Department and/or DHR and the laws of the State of Alabama to protect Aydah from abuse and/or neglect.
27. DHR Defendants had a duty to properly and timely handle the reports and investigations of suspected abuse and neglect of Aydah in accordance with the mandatory Rules and Regulations of the Department and/or DHR and the laws of the State of Alabama.
28. DHR Defendants failed to properly and timely handle the numerous reports and investigations of suspected abuse and neglect in violation of the mandatory Rules and Regulations of the Department and/or DHR and the laws of the State of Alabama.
29. DHR Defendants breached their mandatory duty owed to Aydah by allowing her to remain in the "unsafe environment" exposed to ongoing abuse and/or neglect, which proximately caused her death.
30. At all material time, DHR Defendants and Fictitious Defendants were working within the line and scope of their employment and their actions and/or inactions were negligent, wanton,

willful, malicious, fraudulent, in bad faith, beyond their authority and/or under a mistaken interpretation of the law.

COUNT I

31. Plaintiff realleges all prior paragraphs of the Complaint as if set out here in full.

32. DHR Defendants and Fictitious Defendants were the individuals charged with properly handling the reports of abuse and neglect of Aydah.

33. DHR Defendants and Fictitious Defendants received notification of suspected abuse and/or neglect of Aydah.

34. DHR Defendants and Fictitious Defendants were also on notice that Nikolas and Metz had previously been under suspicion of abuse and neglect of children.

35. As a direct result of DHR Defendants and Fictitious Defendants' wrongful acts, Aydah was allowed to remain in an unsafe environment in which she suffered repeated acts of abuse and neglect.

36. DHR Defendants and Fictitious Defendants committed acts or omissions which violated specific laws, rules or regulations of this State enacted or promulgated for the purpose of regulating the activities of DHR, proximately causing the death of Aydah.

37. Plaintiff further alleges that DHR Defendants and Fictitious Defendants acted negligently, willfully, maliciously, fraudulently and in bad faith, beyond their authority or under a mistaken interpretation of the law, proximately causing the death of Aydah.

38. Plaintiff alleges that as a proximate consequence of the aforementioned conduct of DHR Defendants and Fictitious Defendants, Aydah was allowed to remain in a dangerous situation where she suffered horrific injuries and eventually death.

WHEREFORE, Plaintiff demands judgment against all Defendants in a fair and reasonable

amount of punitive damages plus costs.

COUNT II

39. Plaintiff realleges all prior paragraphs of the Complaint as if set out here in full.

40. As part of DHR Defendants and Fictitious Defendants' mandatory duties, they were obligated to follow and ensure that Department employees followed the laws of the State of Alabama as well as the regulations of the Department.

41. DHR Defendants and Fictitious Defendants had a duty to perform these mandatory and nondelegable duties at all times material to this case.

42. DHR Defendants and Fictitious Defendants negligently performed and/or failed to perform these mandatory duties leaving Aydah in a position of danger that led to her death that she would have otherwise not faced.

43. DHR Defendants and Fictitious Defendants acted negligently, willingly, maliciously, fraudulently, in bad faith, beyond their authority and/or under a mistaken interpretation of the law, proximately causing the death of Aydah.

44. As a proximate result of this aforementioned conduct of DHR Defendants and Fictitious Defendants, Aydah was allowed to remain in a dangerous situation where she suffered horrific injuries and eventually death.

WHEREFORE, Plaintiff demands judgment against all Defendants in a fair and reasonable amount of punitive damages plus costs.

COUNT III

45. Plaintiff realleges all prior paragraphs of the Complaint as if set out here in full.

46. All Defendants were under a duty to protect Aydah from harm.

47. All Defendants negligently or wantonly allowed Aydah to remain in a dangerous and

volatile situation.

48. As a proximate cause of all Defendants' conduct, Aydah was subjected to repeated abuse and/or neglect that resulted in her death.

WHEREFORE, Plaintiff demands judgment against all Defendants in a fair and reasonable amount of punitive damages plus costs.

COUNT IV

49. Plaintiff realleges all prior paragraphs of the Complaint as if set out here in full.

50. Defendants Nikolas Dimaso and Haley Dee Metz negligently injured Aydah Grace Dimaso and breached their duty to Aydah Grace Dimaso to not cause her harm.

51. As a proximate result, Aydah Grace Dimaso died.

WHEREFORE, Plaintiff demands judgment against all Defendants in a fair and reasonable amount of punitive damages plus costs.

COUNT V

52. Plaintiff realleges all prior paragraphs of the Complaint as if set out here in full.

53. Defendant Nikolas Dimaso committed and was charged with Capital Murder and Conspiracy to Commit Aggravated in relation to the death of Aydah Grace Dimaso.

54. The crime committed upon Plaintiff by Nikolas Dimaso is a violation of Alabama law and supports a civil cause of action for monetary damages.

WHEREFORE, Plaintiff demands judgment against all Defendants in a fair and reasonable amount of punitive damages plus costs.

COUNT VI

55. Plaintiff realleges all prior paragraphs of the Complaint as if set out here in full.

56. Defendant Haley Dee Metz committed and was charged with Aggravated Capital Murder

and Conspiracy to Commit Aggravated in relation to the death of Aydah Grace Dimaso.

57. The crime committed upon Plaintiff by Haley Dee Metz is a violation of Alabama law and supports a civil cause of action for monetary damages.

WHEREFORE, Plaintiff demands judgment against all Defendants in a fair and reasonable amount of punitive damages plus costs.

COUNT VII

58. Plaintiff realleges all prior paragraphs of the Complaint as if set out here in full.

59. The negligence, wantonness and/or other wrongful acts of the named Defendants and Fictitious Defendants in this cause combined and concurred to cause the injuries and damages as alleged above.

WHEREFORE, Plaintiff demands judgment against all Defendants in a fair and reasonable amount of punitive damages plus costs.

Respectfully submitted,

/s/ Thomas E. James
Thomas E. James (JAM023)
Attorney for Plaintiff

OF COUNSEL:

TOMMY JAMES LAW
4220 Cahaba Heights Court – Suite 210
Vestavia, Alabama 35243-5731
Telephone: (205) 259-1725
tommy@tommyjameslaw.com

/s/ Jeremy Knowles
Jeremy Knowles (KNO016)
Attorney for Plaintiff

OF COUNSEL:

MORRIS HAYNES, ATTORNEYS AT LAW
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Birmingham, Alabama 35243

Telephone: (205) 324-4008
Facsimile: (205) 324-0803
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PLEASE SERVE DEFENDANTS BY CERTIFIED MAIL :

State of Alabama Department of Human Resources
South Gordon Persons Building
50 North Ripley Street – Suite 2104
Montgomery, Alabama 36130

Mandy Layton
Jefferson County DHR
2001 12th Avenue North
Birmingham, Alabama 35234

Amanda Monteith
Cherokee County DHR
202 Dean Buttram Sr. Avenue
Centre, AL 35960

Lynn B. Carnes
Etowah County DHR
210 Hoke Street
Gadsden, Alabama 35903

Nikolas Dimaso
c/o Etowah County Jail
827 Forrest Avenue
Gadsden, Alabama 35901

Haley Dee Metz
c/o Etowah County Jail
827 Forrest Avenue
Gadsden, Alabama



IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA

SHUNDRA DAVIS,)
as Personal Representative of the)
Estate of AYDAH GRACE DIMASO,)
deceased,)

Plaintiff,)

v.)

Case No.: CV2023-_____

STATE OF ALABAMA DEPARTMENT)
OF HUMAN RESOURCES;)
MANDY LAYTON, in her)
individual capacity;)
AMANDA MONTEITH, in her)
individual capacity;)
LYNN CARNES, in her)
individual capacity;)
NIKOLAS DIMASO;)
HALEY DEE METZ;)
FICTITIOUS DEFENDANT "A,")
is the individual and/or entity that breached the)
mandatory duty owed to Aydah Grace Dimaso)
by allowing her to remain in an unsafe)
environment exposed to ongoing abuse)
and/or neglect, which proximately caused)
the death of Aydah Grace Dimaso;)
FICTITIOUS DEFENDANT "B,")
is those employees of the State of Alabama)
Department of Human Resources who)
committed acts or omissions which violated)
specific laws, rules and/or regulations of the)
State of Alabama that were enacted or)
promulgated for the purpose of regulating)
the activities of the State of Alabama)
Department of Human Resources,)
proximately causing the)
death of Aydah Grace Dimaso;)
FICTITIOUS DEFENDANT "C,")
is those employees and/or representatives of)
the State of Alabama Department of Human)
Resources who acted negligently, willfully,)
maliciously, fraudulently, in bad faith and/or)
beyond their authority, or under a mistaken)
interpretation of law, proximately causing the)

death of Aydah Grace Dimaso;)
 FICTITIOUS DEFENDANT “D,”)
 is the person or persons whose negligence)
 or other wrongful conduct proximately)
 caused the death of Aydah Grace Dimaso)
 whose true and correct names are unknown)
 to the Plaintiff at this time, and will be added)
 by amendment when ascertained,)
)
 Defendants.)

PLAINTIFF’S FIRST INTERROGATORIES AND REQUESTS FOR PRODUCTION TO ALL DHR DEFENDANTS, SEPARATE AND SEVERALLY

Pursuant to Rules 33 and 34, *Alabama Rules of Civil Procedure*, Plaintiff requests that all DHR Defendants, separate and severally, answer the following Interrogatories and Requests for Production within the time required by law:

1. Please identify with specificity who has assisted you in responding to these Interrogatories and Requests for Production.
2. Please state your full name and all positions held by you with the State of Alabama Department of Human Resources. For each such position, please state the dates that such position was held.
3. Please state in detail the duties and responsibilities concerning the position(s) stated in response to Interrogatory #2 above.
4. Please identify each and every person and/or entity that you know or have reason to believe who has knowledge of the facts regarding any of the allegations contained in the Plaintiff’s complaint. For each such person please provide their full name, last known address, and what information you expect that this person may know.
5. Did this Defendant make any notes, reports and/or any other documentation of any allegations of abuse, neglect and/or violations of minimum standards involving, Aydah Grace

Dimaso, Nikolas Dimaso and/or Haley Dee Metz? If so, identify any such document with enough specificity to permit the Plaintiff to request the document and include a summary of the information contained in the document.

6. Please state whether this Defendant received notification of allegations of potential abuse, neglect or violations of minimum standards concerning Aydah Grace Dimaso, Nikolas Dimaso and/or Haley Dee Metz. If so, please state the following:

- a. The names and addresses of the person who notified this Defendant.
- b. The date of the notification.
- c. The cause or reason for the notification.

7. If this Defendant has ever been terminated, suspended and/or reprimanded while employed at the Department of Human Resources, please state the reason(s) for termination, suspension and/or reprimand.

8. Identify each person whom you intend or expect to call, as an expert witness at the trial by name, qualification, and address, and state:

- a. The subject matter on which the expert is expected to testify;
- b. The substance of the facts to which the expert is expected to testify;
- c. The substance of the opinions to which the experts is expected to testify;
- d. A summary of the grounds for each opinion.

9. Please detail each and every conversation and/or face-to-face meeting you had with Aydah Grace Dimaso, Nikolas Dimaso and/or Haley Dee Metz for meeting and the substance of the conversations.

10. State the name of each manual, by whatever name, that you are required to be familiar with in relation to your duties as an employee of DHR.

11. Identify all agents or employees of the State of Alabama Department of Human Resources who had any involvement whatsoever in the provision of services, investigations, home visits, and/or interactions with Aydah Grace Dimaso, Nikolas Dimaso and/or Haley Dee Metz both prior to and subsequent to Aydah's death. For each person identified, please provide their name, job title, and whether they are currently employed with the State of Alabama Department of Human Resources.
12. Identify all insurance policies, indemnification agreements, and the like, including excess and umbrella policies, covering you for the allegations made in the Complaint and state the amount of coverage for each policy.
13. Identify by name and last known address all individuals who investigated and/or performed a Child Abuse & Neglect ("CA/N") assessment pertaining to Aydah Grace Dimaso, Nikolas Dimaso and/or Haley Dee Metz.
14. Identify the cell phone provider(s) and phone number(s) for any phones or devices you were issued by DHR from the time you were hired through the present.
15. Identify the cell phone provider(s) and phone number(s) for any phones or devices you have used during the previous 5 years and specify whose names the accounts are registered in.

REQUESTS FOR PRODUCTION

1. Please produce any and all documents, emails, memorandums, correspondences, photographs, videotapes, audio recordings and/or electronic recordings in your possession, custody and/or control which relate to the subject incident and any of the facts contained in the Plaintiff's complaint.
2. Please produce any and all of your employment and/or personnel records.
3. Please produce any disciplinary letters and/or termination letters you have received during

your employment with DHR.

4. Please produce a copy of any and all child abuse/neglect investigation reports, by whatever name, relating to Aydah Grace Dimaso, Nikolas Dimaso and/or Haley Dee Metz.
5. Please produce copies of any and all reports made pursuant to *Code of Alabama* § 26-14-3 relating to Aydah Grace Dimaso, Nikolas Dimaso and/or Haley Dee Metz.
6. Please produce legible copies of all DHR and Jefferson County DHR policy and procedure manuals in effect at the time of Aydah's death.
7. Please produce all emails related to Aydah's death, the incident made the basis of this lawsuit and/or any allegations of abuse, neglect and/or violations of minimum standards involving Aydah Grace Dimaso, Nikolas Dimaso and/or Haley Dee Metz.
8. Please produce all insurance policies, indemnification agreements, and the like, including excess and umbrella policies, covering you the allegations made in the Complaint.
9. Please produce copies of any and all files, notes, statements, emails, audio and video recordings, photographs, records, medical records, reports, correspondence, memoranda, investigations, documents or electronically stored information in the possession of this Defendant and/or the State of Alabama Department of Human Resources pertaining to Aydah Grace Dimaso, Nikolas Dimaso and/or Haley Dee Metz.
10. Please produce copies of any and all internal investigation reports by State of Alabama Department of Human Resources or any of its employees concerning the subject incidents.
11. Produce a complete copy of any and all case narratives, written reports of suspected abuse/neglect, any Form DHR-FCS-1593 and any and all other documents in the Defendants' possession pertaining to Aydah Grace Dimaso, Nikolas Dimaso and/or Haley Dee Metz.

12. Produce a complete copy, including all metadata, of any electronic communications pertaining in any way to Aydah Grace Dimaso, Nikolas Dimaso and/or Haley Dee Metz, including, but not limited to, email and SMS messages.
13. Produce complete copies of any and all documents and materials obtained by this Defendant at any time during the course of this litigation by way of a subpoena, whether a Rule 45 subpoena or other subpoena.
14. Produce any and all documents, notes, items of correspondence, reports, memoranda and/or any other related documentation and/or photographs that were reviewed and/or consulted by this Defendant while providing responses to the Plaintiff's Interrogatories.
15. All documents related to any child death reviews, mortality reviews, by whatever name, in relation to Aydah Grace Dimaso.

Respectfully submitted,

/s/ Thomas E. James
 Thomas E. James (JAM023)
 Attorney for Plaintiff

OF COUNSEL:
TOMMY JAMES LAW
 4220 Cahaba Heights Court – Suite 210
 Vestavia, Alabama 35243-5731
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/s/ Jeremy Knowles
 Jeremy Knowles (KNO016)
 Attorney for Plaintiff

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Facsimile: (205) 324-0803
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PLEASE SERVE DEFENDANTS BY CERTIFIED MAIL :

State of Alabama Department of Human Resources
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Montgomery, Alabama 36130

Mandy Layton
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Birmingham, Alabama 35234

Amanda Monteith
Cherokee County DHR
202 Dean Buttram Sr. Avenue
Centre, AL 35960

Lynn Carnes
Etowah County DHR
210 Hoke Street
Gadsden, Alabama 35903

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