

RETURN DATE: NOVEMBER 19, 2019 : SUPERIOR COURT  
SANTIAGO COJ : JUDICIAL DISTRICT OF  
v. : TOLLAND AT  
: ROCKVILLE  
CHESTER HECKLER and HECKLER :  
BROTHERS, LLC : OCTOBER 29, 2019

**COMPLAINT**

**I. INTRODUCTION**

1. At all times relevant to this action, the Plaintiff, SANTIAGO COJ resided in Coventry, Connecticut.
2. At all relevant times, Defendant, CHESTER HECKLER, resided at 286 Brewster Street, Coventry and was a member of co-Defendant, HECKLER BROTHERS, LLC.
3. At all relevant times, Defendant, HECKLER BROTHERS, LLC, owned and operated a dairy farm located at 286 Brewster Street, Coventry, Connecticut.
4. At all relevant times, the Plaintiff, SANTIAGO COJ, was an employee of Defendant HECKLER BROTHERS, LLC working as a farm hand assisting with, among other tasks, the milking of dairy cows.
5. Plaintiff SANTIAGO COJ's work for Defendant HECKLER BROTHERS, LLC, required that he commence milking cows from approximately 3:00 a.m. to 9:00 a.m. and again from 1:00 p.m. to approximately 6:00 p.m. three or four times a week.
6. On Sunday, October 6, 2019, Plaintiff SANTIAGO COJ, commenced his shift at approximately 3:00 a.m. along with a co-worker. At approximately 6:00 a.m. that morning,

while the cows were being milked by automated machinery, Plaintiff SANTIAGO COJ, indicated to his co-worker that he needed to use the bathroom and that he would return momentarily.

7. Plaintiff SANTIAGO COJ returned to the barn within 5 minutes after using the bathroom.

8. Shortly after his return, Defendant CHESTER HECKLER, appeared at the milking barn and questioned Plaintiff where he had gone. Plaintiff, who speaks limited English, indicated to Defendant CHESTER HECKLER that he had gone to the bathroom momentarily.

9. Defendant CHESTER HECKLER left the barn only to return moments later in a motorized farm buggy (hereinafter, "the buggy").

10. Immediately upon Defendant CHESTER HECKLER's return to the milking barn where Plaintiff had resumed working, Defendant CHESTER HECKLER approached Plaintiff and directed him take off his milking apron.

11. Immediately thereafter, Defendant CHESTER HECKLER, directed Plaintiff SANTIAGO COJ to get into the buggy's passenger seat. Plaintiff was confused by this unusual request, but did not feel as though he had a choice to refuse Defendant CHESTER HECKLER's unprecedented request.

12. Defendant CHESTER HECKLER proceeded to drive erratically around the farm grounds for a few minutes, without giving Plaintiff any indication as to where they were heading and preventing Plaintiff from disembarking the buggy.

13. After several minutes, Defendant CHESTER HECKLER abruptly stopped the buggy at a remote part of the dairy farm abutting some woods and gestured for Plaintiff to disembark

from the buggy. Confused at the unfolding events, Plaintiff nevertheless complied and stood next to the buggy. Defendant CHESTER HECKLER, likewise disembarked the buggy and proceeded to walk around the buggy towards the direction of the Plaintiff.

14. As he approached the Plaintiff, Defendant CHESTER HECKLER removed a handgun from inside of his jacket and pointed the weapon at Plaintiff's head.

15. With the weapon pointed at Plaintiff's head, Defendant CHESTER HECKLER pulled the trigger at point-blank range without regard for the physical and/or emotional safety of the Plaintiff. Incredibly, Defendant CHESTER HECKLER's shot missed striking Plaintiff's head.

16. Immediately thereafter, Defendant CHESTER HECKLER discharged his weapon again, this time grazing the right side of Plaintiff's skull.

17. Plaintiff collapsed to the ground, began to bleed profusely and lost consciousness.

18. Unconcerned for Plaintiff's well-being, Defendant CHESTER HECKLER climbed back into the buggy and simply drove away.

## **II. COUNT ONE - NEGLIGENCE (directed to Defendant CHESTER HECKLER)**

1-18. The Plaintiff restates, re-alleges and incorporates by reference paragraphs 1 through 18, above, as if fully set forth as part of this Count One.

19. Defendant CHESTER HECKLER owed Plaintiff SANTIAGO COJ a duty to use reasonable care while Plaintiff was lawfully upon Defendants' premises.

20. Defendant CHESTER HECKLER breached that duty of care owed to Plaintiff in that, without regard for Plaintiff's physical and/or emotional safety, he negligently discharged his firearm in close proximity to Plaintiff's head.

21. Defendant CHESTER HECKLER's actions proximately caused Plaintiff's injuries for which he sought, and continues to seek, medical treatment.

**III. COUNT TWO - NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS  
(directed to Defendant CHESTER HECKLER)**

1-21. Plaintiff restates, re-alleges and incorporates by reference paragraphs 1 through 21, above, as if fully set forth as part of this Count Two.

22. Defendant CHESTER HECKLER, individually and/or in his capacity as a member of Defendant HECKLER BROTHERS, LLC, through his conduct created an unreasonable risk of causing the Plaintiff emotional distress.

23. Plaintiff's emotion distress was reasonably foreseeable in light of the conduct of Defendant CHESTER HECKLER.

24. Plaintiff's emotional distress was severe enough that it resulted, and will further result, in illness and/or bodily harm.

25. Defendant CHESTER HECKLER's conduct was the cause of Plaintiff's emotional distress.

**IV. COUNT THREE - RESPONDEAT SUPERIOR (directed to Defendant HECKLER Brothers, LLC)**

1-25. Plaintiff restates, re-alleges and incorporates by reference paragraphs 1 through 25, above, as if fully set forth as part of this Count Three.

26. At all times relevant, Defendant CHESTER HECKLER was acting within the scope of his employment for HECKLER BROTHERS, LLC.

27. At all times relevant, Defendant CHESTER HECKLER was acting in furtherance of his employer, Defendant HECKLER BROTHERS, LLC.

28. Defendant CHESTER HECKLER's actions which were within the scope of his employment for Defendant HECKLER BROTHERS, LLC, proximately caused Plaintiff's damages.

**V. COUNT FOUR - NEGLIGENT HIRING, RETENTION AND/OR SUPERVISION  
(directed to Defendant HECKLER Brothers, LLC)**

1-28. Plaintiff restates, re-alleges and incorporates by reference paragraphs 1 through 28, above, as if fully set forth as part of this Count Four.

29. Defendant HECKLER BROTHERS, LLC owed a duty of care to those lawfully on its property, such as Plaintiff, to provide an environment free from its member's conduct that would foreseeably lead to the emotional distress of those lawfully present on Defendants' property.

30. Defendant HECKLER BROTHERS, LLC breached that duty of care by hiring, retaining, or failing to properly supervise Defendant CHESTER HECKLER, an employee and/or member of Defendant HECKLER BROTHERS, LLC whom it knew or should have known could cause harm to those lawfully on Defendants' property, such as the Plaintiff.

31. The Plaintiff sustained injuries as a direct result of Defendant CHESTER HECKLER's conduct as alleged herein.

**VI. COUNT FIVE - FALSE ARREST, DETENTION AND/OR IMPRISONMENT  
(directed to both Defendants)**

1-18. The Plaintiff restates, re-alleges and incorporates by reference paragraphs 1 through 1-18, above, as if fully set forth as part of this Count Five.

19. Defendant CHESTER HECKLER, individually and/or acting within the scope of his employment for Defendant HECKLER BROTHERS, LLC, unlawfully restrained the

physical liberty of the Plaintiff when he forced Plaintiff to embark on the buggy in the morning of October 6, 2019.

20. Defendant CHESTER HECKLER's directive that Plaintiff embark upon the buggy was against Plaintiff's will and without his consent.

21. Defendant CHESTER HECKLER's directive that Plaintiff embark upon the buggy caused Plaintiff damages.

**WHEREFORE**, the Plaintiff claims:

1. Compensatory damages;
2. Such other relief as this Court deems appropriate

**PLAINTIFF,**

**SANTIAGO COJ**

By: \_\_\_\_\_

/411403/



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**STATEMENT OF AMOUNT IN DEMAND**

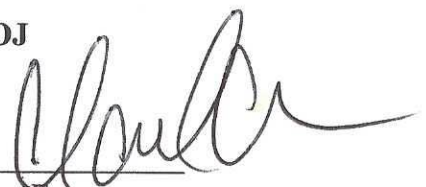
The amount in demand is greater than Fifteen Thousand (\$15,000.00) Dollars, exclusive of costs and interest.

**PLAINTIFF,**

**SANTIAGO COJ**

By:

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