

STATE OF MINNESOTA

IN DISTRICT COURT

COUNTY OF CLAY

SEVENTH JUDICIAL DISTRICT

PERSONAL INJURY

Pedro Alonzo and Aida Alonzo, )  
)  
Plaintiffs, )

Civil No. \_\_\_\_\_

vs. )

**COMPLAINT**

Richard Menholt, Synthia Menholt, )  
)  
and Menholt Farms, LLC, )  
)  
Defendants. )

**JURY DEMANDED**

[1] Plaintiffs Pedro Alonzo and Aida Alonzo, for their claims against Defendants Richard Menholt, Synthia Menholt, and Menholt Farms, LLC, state and allege as follows:

[2] On October 19, 2018, Alberto St. Martin Lopez, Jr. ("Lopez") operated a beet truck in an easterly direction on 160th Avenue North, near its intersection with 110th Avenue North, near Felton, Clay County, Minnesota.

[3] Darcy Braaten ("Braaten") owned the beet truck operated by Mr. Lopez on that date.

[4] Defendants selected Mr. Braaten and Mr. Lopez as their contractors to transport their sugar beets. On October 19, 2018, Mr. Lopez was transporting sugar beets for Defendants.

[5] On October 19, 2018, Pedro Alonzo was driving a fully-loaded semi-tractor and trailer westbound on 160th Avenue North, near its intersection with 110th Avenue North, near Felton, Clay County, Minnesota, when Mr. Lopez's beet truck crossed the center line and crashed head-on into Mr. Alonzo's semi-tractor, causing severe damage to both vehicles and serious and permanent bodily injuries to Mr. Alonzo.

[6] Defendants had a duty to use reasonable care to select a competent and careful contractor to haul their sugar beets.

[7] Defendants were negligent in failing to use reasonable to care to select a competent and careful contractor to haul their sugar beets in, among other ways, failing to conduct a background check of Mr. Lopez; failing to confirm Mr. Braaten conducted a background check of Mr. Lopez; failing to conduct a driving record search of Mr. Lopez; failing to confirm Mr. Braaten conducted a driving record search of Mr. Lopez; failing to conduct a criminal record search of Mr. Lopez; failing to confirm Mr. Braaten conducted a criminal record search of Mr. Lopez; failing to check whether Mr. Lopez had a valid driver's license; failing to confirm with Mr. Braaten that Mr. Lopez had a valid driver's license; failing to conduct any search of publicly available information about Mr. Lopez; failing to confirm Mr. Braaten conducted any search of publicly available information about Mr. Lopez; and otherwise failing to select a competent and careful contractor to haul their sugar beets.

[8] The negligence of Defendants in failing to use reasonable care to select a competent and careful contractor to haul their sugar beets was a direct and proximate cause of the crash and the resulting injuries and damages to Plaintiffs.

[9] The negligence of Defendants in failing to use reasonable care to select a competent and careful contractor renders them vicariously liable for Mr. Lopez's actions.

[10] Alternatively, Mr. Lopez was an employee and/or agent of the Defendants, and Defendants are vicariously liable for the actions of their employee and/or agent, Mr. Lopez.

[11] As a direct and proximate result of the crash and Defendants' negligence, Pedro Alonzo suffered serious and permanent injuries and sustained, and will in the future sustain, medical expenses for his care and treatment, physical and emotional pain and suffering, loss of earnings and loss of future earning capacity, physical impairment and disability, loss of enjoyment of life, and other related damages.

[12] As a direct and proximate result of the crash and Defendants' negligence, Aida Alonzo has been deprived of the services, care, comfort, consortium, society, and companionship of her husband, Pedro Alonzo.

[13] Aida Alonzo is entitled to recover the value of the loss of services, loss of care, loss of comfort, loss of consortium, loss of society, loss of companionship, and related damages allowable by law that she has suffered as a direct and proximate result of the crash and Defendants' negligence.

[14] Plaintiffs are entitled to recover all economic and non-economic damages allowed under Minnesota law.

[15] WHEREFORE, Plaintiffs request judgment against Defendants in an amount in excess of \$50,000 and also request interest, costs and disbursements, and such other and further relief as is just and proper.

[16] TRIAL BY JURY DEMANDED.

Dated: March 2, 2021.

MARING WILLIAMS LAW OFFICE, P.C.

By: 

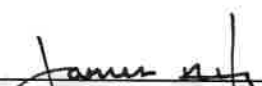
James R. Hoy (MN License No. 0394807)  
Kellen B. Bubach (MN License No. 0401457)  
1220 Main Avenue, Suite 105  
Fargo, ND 58103  
(701) 241-4141  
[jhoy@maringlaw.com](mailto:jhoy@maringlaw.com)  
[kbubach@maringlaw.com](mailto:kbubach@maringlaw.com)

AND

1105 Highway 10 East  
Detroit Lakes, MN 56501  
(218) 847-2257  
ATTORNEYS FOR PLAINTIFFS

ACKNOWLEDGEMENT

The undersigned and the party I represent hereby acknowledge that costs, disbursements, and reasonable attorney and witness fees may be awarded pursuant to Minn. Stat. Section 549.211, subdivision 2, to the party against whom the allegations in this pleading are asserted.

  
James R. Hoy  
Minnesota License No. 0394807