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ELECTRONICALLY

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Superior Court of California,
County of San Francisco

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Clerk of the Court

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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN FRANCISCO**

THE ESTATE OF ROBERT HAROLD LEE,
by and through its personal representative,
TIMOTHY OLIVER LEE; DAGNY LEE, an
individual; and SCOUT LEE, a minor, by and
through her Guardian Ad Litem, KRISTA
LEE,

Plaintiffs,

v.

NIMA MOMENI, an individual; KHAZAR
MOMENI, an individual; DINO
ELYASSNIA, M.D., an individual; MAHNAZ
TAYARANI, an individual; SECURITAS
SECURITY SERVICES USA, INC., a
Delaware corporation; PORTSIDE
HOMEOWNERS' ASSOCIATION, a
California Nonprofit Corporation; PORTSIDE
MASTER OWNERS' ASSOCIATION, a
California Nonprofit Corporation; SF
OAKLAND BAY LLC, a Limited Liability
Company, and DOES 1 through 100, inclusive.

Defendants.

Case No.: CGC-25-623810

*(Assigned for all Purposes to the Hon.
Rochelle C. East, Dept. 610)*

**SECOND AMENDED COMPLAINT FOR
DAMAGES:**

- 1) NEGLIGENCE (Survival Action)
[CCP § 377.30]**
- 2) WRONGFUL DEATH [CCP
§ 377.60]**
- 3) ASSAULT (Survival Action) [CCP §
377.30]**
- 4) BATTERY (Survival Action) [CCP
§ 377.30]**
- 5) AIDING AND ABETTING**
- 6) CONSPIRACY**
- 7) INVASION OF PRIVACY**

DEMAND FOR JURY TRIAL

COME NOW Plaintiffs, THE ESTATE OF ROBERT HAROLD LEE, by and through its personal representative, TIMOTHY OLIVER LEE; DAGNY LEE, an individual; and SCOUT LEE, a minor, by and through her Guardian Ad Litem, KRISTA LEE (collectively “Plaintiffs”), for causes of action against Defendants NIMA MOMENI, an individual; KHAZAR MOMENI, an individual; DINO ELYASSNIA, M.D., an individual; MAHNAZ TAYARANI, an individual; SECURITAS SECURITY SERVICES USA, INC., a Delaware corporation; PORTSIDE HOMEOWNERS’ ASSOCIATION, a California Nonprofit Corporation; PORTSIDE MASTER OWNERS’ ASSOCIATION, a California Nonprofit Corporation; SF OAKLAND BAY LLC, a Limited Liability Company, and DOES 1 through 100, inclusive (collectively “DEFENDANTS”) as follows:

THE PARTIES

1. Plaintiff DAGNY LEE (hereinafter “Dagny” or “Plaintiff”) is and was at all times herein mentioned, an individual, residing in the County of Marin, State of California. Plaintiff DAGNY LEE is an adult, and his date of birth is August 22, 2005.

2. Plaintiff SCOUT LEE (hereinafter “Scout” or “Plaintiff”), a minor, by and through her Guardian Ad Litem, KRISTA LEE, is and was at all times herein mentioned, an individual, residing in the County of Marin, State of California. Krista Lee (hereinafter “Krista,” “ex-wife,” or “Guardian ad Litem for Scout Lee”) is the natural mother of Plaintiff SCOUT LEE. Plaintiff SCOUT LEE is a minor and her date of birth is June 22, 2008.

3. Plaintiffs DAGNY LEE and SCOUT LEE (collectively, “Plaintiffs”) are the biological children of Decedent, ROBERT HAROLD LEE (hereinafter, “Bob,” “Bob Lee” or “Decedent”), who was born on December 20, 1979. Decedent died in the city and county of San Francisco, California, on April 4, 2023, at the age of 43.

4. As the surviving heirs of the Decedent under the applicable laws of intestate succession, Plaintiffs DAGNY LEE and SCOUT LEE, by and through her Guardian ad Litem, KRISTA LEE, are the persons entitled to bring a wrongful death action under California *Code of Civil Procedure* § 377.60.

1 5. Plaintiff THE ESTATE OF ROBERT HAROLD LEE is and was at all times
2 herein mentioned, an established estate that is being handled by its personal representative,
3 TIMOTHY OLIVER LEE.

4 6. Defendant NIMA MOMENI (hereinafter, “Nima” or “Defendant Nima
5 Momeni”), is and was at all relevant times herein mentioned, an individual residing in the State
6 of California. On the date of Bob Lee’s death on April 4, 2023, Defendant NIMA MOMENI
7 was residing in the city of Emeryville, County of Marin, State of California. He is currently
8 incarcerated at San Francisco County Jail #3 in the County of San Mateo, State of California.

9 7. Defendant KHAZAR MOMENI (hereinafter, “Khazar” or “Defendant Khazar
10 Momeni”), is and was at all relevant times herein mentioned, an individual residing in the
11 County of San Francisco, State of California.

12 8. Defendant DINO ELYASSNIA, M.D. (hereinafter, “Dr. Elyassnia” or
13 “Defendant Dino Elyassnia, M.D.”), is and was at all relevant times herein mentioned, an
14 individual residing in the County of San Francisco, State of California.

15 9. Defendant MAHNAZ TAYARANI (hereinafter, “Defendant Tayarani” or
16 “Defendant Mahnaz Tayarani”), is and was at all relevant times herein mentioned, an individual
17 residing in the County of Marin, State of California.

18 10. Defendant PORTSIDE HOMEOWNERS’ ASSOCIATION, a California
19 Nonprofit Corporation (hereinafter, “Defendant Portside Homeowners’ Association”), owns,
20 controls, manages, and operates a condominium complex known as The Portside II, located at
21 403 Main Street, San Francisco, CA 94105, including, but not limited to its closed-circuit
22 televisions (“CCTV”), and surveillance and/or security video footage. Defendant PORTSIDE
23 HOMEOWNERS’ ASSOCIATION regularly transacts business in the County of San Francisco,
24 State of California.

25 11. Defendant PORTSIDE MASTER OWNERS’ ASSOCIATION, a California
26 Nonprofit Corporation (hereinafter, “Defendant Portside Master Owners’ Association”), owns,
27 controls, manages, and operates an apartment complex known as The Portside II, located at 403
28 Main Street, San Francisco, CA 94105, including, but not limited to closed-circuit televisions

1 (“CCTV”), and surveillance and/or security video footage. Defendant PORTSIDE MASTER
2 OWNERS’ ASSOCIATION regularly transacts business in the County of San Francisco, State
3 of California.

4 12. Defendant SECURITAS SECURITY SERVICES USA, INC. is a Delaware
5 corporation that controls, manages, and operates the security and security systems including, but
6 not limited to, closed-circuit televisions (“CCTV”), and surveillance and/or security video
7 footage, for a condominium complex known as The Portside II, located at 403 Main Street, San
8 Francisco, CA 94105. Defendant SECURITAS SECURITY SERVICES USA, INC. regularly
9 transacts business in the County of San Francisco, State of California.

10 13. Defendant, SF OAKLAND BAY LLC, a Limited Liability Company, is the
11 owner, controller, manager, agent, director and/or operator of The Portside II in San Francisco,
12 California. Defendant SF OAKLAND BAY LLC, a Limited Liability Company, regularly
13 transacts business in the County of San Francisco, State of California.

14 14. Plaintiffs are informed and believe, and thereon allege, that at all times
15 mentioned herein, Defendants DOES 1 through 100 are persons or entities whose true names
16 and identities are presently unknown to Plaintiffs, and who, therefore, are sued under fictitious
17 names. Plaintiffs are also informed and believe, and thereon allege, that at all times mentioned
18 herein, Defendants, and each of them, including DOES 1 through 100, inclusive, are, and at all
19 times mentioned herein were, the employers, partners, agents, servants, representatives, alter
20 egos, employees, successors in interest, and/or joint venturers of each of the other Defendants,
21 and that each Defendant was acting within the course and scope of his, her, or its authority as
22 the employer, partner, agent, servant, representative, alter ego, employee, successor in interest,
23 and/or joint venturer of each of the other Defendants and with the permission, consent and
24 ratification of each other Defendant. Consequently, each Defendant named in this Complaint,
25 including DOES 1 through 100, inclusive, is jointly and severally liable to Plaintiffs for the
26 damages sustained as a proximate result of their conduct. Plaintiffs will hereafter seek leave of
27 Court to amend this Complaint to show the true names and capacities of Defendants after the
28 same have been ascertained. Each reference within this Complaint to “Defendants,”

1 “Defendants” or to a specifically named Defendant shall refer to all Defendants, including
2 fictitiously named Defendants, unless the context indicates otherwise.

3 15. Plaintiffs are informed and believe, and thereon allege, that at all times
4 mentioned herein, at all times herein mentioned, the acts and omissions of various Defendants,
5 and each of them, concurred and contributed to the various acts and omissions of each and all of
6 the other Defendants in proximately causing the injuries and damages to Plaintiffs as herein
7 alleged.

8 16. Plaintiffs are informed and believe, and thereon allege, that at all times
9 mentioned herein, at all times herein mentioned, Defendants, and each of them, including
10 DOES 1 through 100, ratified each and every act or omission complained of herein.

11 17. Plaintiffs are informed and believe, and thereon allege, that at all times
12 mentioned herein, Defendants, and each of them, collectively, were members of, and engaged
13 in, a common enterprise, and acting within the course and scope of, and in pursuance of, said
14 common enterprise.

15 18. Plaintiffs are informed and believe, and thereon allege, that at all times
16 mentioned herein, Defendants, and each of them, aided and abetted the acts and omissions of
17 each and all of the other Defendants in proximately causing the injuries and damages to
18 Plaintiffs as herein alleged. Plaintiffs are also informed and believe and based thereon allege,
19 that at all times herein mentioned, each Defendant conspired with and aided and abetted each
20 and every other Defendant in committing the acts and omissions alleged herein.

21 22 **JURISDICTION AND VENUE**

23 19. Venue is proper in the County of San Francisco pursuant to Section 395(a) of the
24 California *Code of Civil Procedure* because the subject incident causing Decedent’s injuries,
25 death and damages occurred in San Francisco County, California, including the acts and
26 omissions complained of herein.

27 20. This Court has jurisdiction over this matter because Defendants either reside
28 and/or conduct business in the State of California.

1 21. The amount of controversy exceeds the jurisdictional minimum of this Court.

2
3 **GENERAL ALLEGATIONS**

4 22. Plaintiffs reallege and incorporate each of the allegations contained in the above
5 paragraphs and by this reference, incorporate said paragraphs as though fully set forth herein.

6 23. This wrongful death case stems from a heartbreaking tragedy that needlessly cut
7 short the life of a beloved father, son, brother, and friend. On Tuesday, April 4, 2023, 43-year-
8 old, BOB LEE, tragically died after he was stabbed multiple times with a kitchen knife by
9 Defendant NIMA MOMENI at approximately 2:30 a.m. In short, Defendant NIMA MOMENI
10 murdered Bob Lee. Plaintiffs are informed and believe, and thereon allege, that at all times
11 mentioned herein, Defendant NIMA MOMENI was approximately 38 years old when he
12 murdered BOB LEE near the San Francisco-Oakland Bay Bridge. Bob leaves behind his two
13 children: his son, Dagny Lee, and his daughter, Scout Lee, a minor. Bob also leaves behind his
14 father, brother, and his ex-wife, Krista Lee, who is the mother of his children. Although
15 divorced, Bob and Krista remained close friends.

16 24. Bob was a devoted father to his two children. He lived in Florida, but made
17 frequent trips to San Francisco so that he could spend time with his children.

18 25. In addition to being a devoted and loving father, Bob was considered to be a
19 mogul in the tech industry. At the time of his death, Bob was the Chief Product Officer
20 (“CPO”) of MobileCoin and the Chief Technology Officer of Square. Prior to those roles, he
21 founded the financial service, Cash App. While he was in his early twenties, Bob helped
22 develop the Android operating system at Google. Bob’s overall contributions to the tech world
23 were significant. His untimely death robbed the world of a brilliant mind and a remarkable
24 innovator in technology.

25 26. Plaintiffs are informed and believe, and thereon allege, that at all times
26 mentioned herein, in early April 2023, Bob was in the San Francisco area to see his children and
27 to support his daughter, Scout, as she performed in her school’s play.

28 27. Plaintiffs are informed and believe, and thereon allege, that Defendant KHAZAR

1 MOMENI, who is Defendant NIMA MOMENI's sister, first met Bob Lee in approximately
2 2017. Defendant KHAZAR MOMENI and Bob Lee became friends and would see each other
3 periodically.

4 28. Plaintiffs are informed and believe, and thereon allege, that on or about April 1,
5 2023, Bob Lee visited Defendant KHAZAR MOMENI at her condominium at The Millennium
6 Tower in San Francisco, where he met Defendant NIMA MOMENI for the first time. Plaintiffs
7 are further informed and believe that Defendant NIMA MOMENI was aware of Bob's
8 friendship with Defendant KHAZAR MOMENI.

9 29. Plaintiffs are informed and believe, and thereon allege, that Bob and Defendant
10 KHAZAR MOMENI again met up on the morning of April 3, 2023. Bob arrived with an
11 acquaintance, Jeremy Boivin ("Boivin"), who Plaintiffs are informed and believe, and thereon
12 allege, that Defendant KHAZAR MOMENI had not met before. While Bob, Boivin, and
13 Defendant KHAZAR MOMENI were together, some were partying. When Bob had to leave
14 for a work matter, Boivin and Khazar continued to hang out and eventually returned to Boivin's
15 apartment, where others joined them and the party continued. When Bob Lee's work matter
16 concluded, he returned to Boivin's apartment to attend the party where Khazar was still present.
17 Bob's friend, Borzoyeh Mohazzabi ("Bo"), arrived at Boivin's party around 3:30 p.m.

18 30. Plaintiffs are informed and believe, and thereon allege, that during the party at
19 Boivin's apartment, Khazar expressed discomfort around Bob's friend Bo. At or after
20 approximately 5:00 p.m., Boivin asked Bob and his friend Bo to leave the party. As Bob and
21 Bo were leaving Boivin's party, Bob asked Khazar to leave with them, but she declined and
22 subsequently blocked Bob's phone number on her cell phone.

23 31. Plaintiffs are informed and believe, and thereon allege, that after Bob and Bo left
24 Boivin's party, Defendant KHAZAR MOMENI remained at Boivin's home. Plaintiffs are
25 further informed and believe, and thereon allege, that while at the party, Khazar and friends
26 partied with alcohol and recreational drugs including GHB, which is also known as a date rape
27 drug. One of Khazar's friends woke up after passing out and noticed that Khazar was crying
28 while changing her clothes. Khazar claimed that she was sexually assaulted while in an

1 impaired state. Plaintiffs are further informed and believe, and thereon allege, that Khazar
2 contacted her brother, Defendant NIMA MOMENI, her husband, Defendant DINO
3 ELYASSNIA, M.D., and her mother, Defendant MAHNAZ TAYARANI for help and informed
4 them about the alleged sexual assault, and they were upset and/or irate about it. Nima and Dr.
5 Elyassnia went to pick up Khazar from Boivin's apartment. When Nima and Dr. Elyassnia
6 arrived at Boivin's apartment, Nima was in a state of anger and lost his cool when he interacted
7 with Boivin. Defendant Khazar Momeni had to tell her brother, Nima, to calm down.

8 32. Plaintiffs are informed and believe, and thereon allege, that at all times
9 mentioned herein, after Bob and Bo left the party, they went to the bar at Bob's hotel. Later,
10 they went to Bob's room to hang out. During that time, Bob spoke with his ex-wife Krista Lee
11 by phone at around 8:00 p.m. Bob and Bo were not present when Nima and Dr. Elyassnia
12 picked up Khazar from Boivin's home.

13 33. Plaintiffs are informed and believe, and thereon allege, that after Khazar's
14 brother, Nima, picked her up from Boivin's apartment, she told him that she had been drugged
15 and sexually assaulted. Nima Momeni was livid. Nima went back with his sister, Khazar, to
16 her condominium located at The Millennium Tower around 8:01 p.m. on April 3, 2023. Nima
17 remained at Khazar's condominium with her until approximately 2:00 a.m. on April 4, 2023.

18 34. Plaintiffs are informed and believe, and thereon allege, that at all times
19 mentioned herein, video footage from The Millennium Tower recorded the Defendant NIMA
20 MOMENI arriving at the building on April 3, 2023, at approximately 8:31 p.m. while driving a
21 white 2020 BMW Z4 Roadster with a California license plate number 8LZX449. He was
22 wearing a white T-shirt and dark-colored pants. He proceeded to exit the vehicle, walk through
23 the main entrance of The Millennium Tower and take an elevator to a higher floor.

24 35. Plaintiffs are informed and believe, and thereon allege, that sometime after
25 Defendant Nima Momeni arrived at his sister Khazar's condominium, he was texting with
26 Boivin, who had left a water bottle at Defendant Khazar Momeni's apartment at some point on
27 April 3, 2023. The water bottle was allegedly full of an illicit drug and Boivin wanted to
28 retrieve it. When Boivin arrived at Khazar's condominium to retrieve the water bottle with the

1 illicit drugs, he found that it was empty. Plaintiffs are further informed and believe, and thereon
2 allege, that later, Boivin learned that Khazar's husband, Defendant Dino Elyassnia, M.D., had
3 found the water bottle and dumped the contents down the sink. Nima Momei was present when
4 Boivin arrived at Khazar's condominium and got into a verbal altercation with Boivin. Boivin
5 retrieved his empty water bottle and left Khazar's condominium.

6 36. Plaintiffs are informed and believe, and thereon allege, that at all times
7 mentioned herein, sometime after Bob spoke with Krista Lee, Bo witnessed Bob receiving a
8 video phone call from Defendant, NIMA MOMENI, while Nima was still present at his sister
9 Khazar's condominium and could hear what Bob was saying at the time. Nima had already
10 picked up his sister, Khazar, from the party that Bob and Bo were at earlier in the day.
11 Plaintiffs are informed and believe, and thereon allege, that during the video call, Nima
12 aggressively questioned Bob over events that occurred at the party at Boivin's apartment
13 including drug use and Khazar's conduct. Nima specifically interrogated Bob about the girls
14 getting naked at the party, which included his sister, and Bo additionally heard Nima angrily
15 peppering Bob with questions about what happened at Boivin's apartment. Bo could hear
16 Defendant Khazar Momeni shouting during the call. Bo overheard Bob telling Defendant
17 NIMA MOMENI that he and Bo left before any alleged assault occurred, but everything is fine.
18 Bo urged Bob to end the call because Nima was acting crazy. Plaintiffs are further informed
19 and believe, and thereon allege, that Defendant, NIMA MOMENI, somehow thought Bob was
20 somehow involved or could have prevented the alleged sexual assault on his sister, KHAZAR
21 MOMENI, while she was at Boivin's party.

22 37. Plaintiffs are informed and believe, and thereon allege, that at all times
23 mentioned herein, after the video call ended with Defendant NIMA MOMENI, Bob and Bo
24 went to The Battery Club, and subsequently to Bo's condo. Shortly after midnight, Bo wanted
25 to call it a night. At approximately 12:30 a.m. on Wednesday, April 4, 2023, Bob left Bo's
26 apartment and decided to continue his evening by taking an Uber and heading over to The
27 Millennium Tower to visit with Defendant KHAZAR MOMENI. When he arrived at Khazar's
28 condo, he also met Defendant NIMA MOMENI there. Video footage shows Bob entering The

1 Millennium Tower at approximately 12:39 a.m. on April 4, 2023, while wearing a black hoodie
2 with dark-colored pants and black shoes.

3 38. Plaintiffs are informed and believe, and thereon allege, that at all times
4 mentioned herein, just over an hour of Bob arriving at The Millennium Tower, there is video
5 footage, at approximately 1:58 a.m., of Bob in the elevator at the same luxury condo building
6 leaving with Defendant NIMA MOMENI. At this time, Defendant NIMA MOMENI was
7 wearing a tan-colored jacket with a white collar and a black beanie hat. The two of them took
8 the elevator to the lobby level and exited The Millennium Tower together. They both
9 proceeded to get into Defendant NIMA MOMENI's white BMW Z4 Roadster. Defendant
10 MINA MOMENI entered the driver's side of the vehicle, while Bob Lee sat in the front
11 passenger seat. The vehicle remained stationary for approximately seven minutes before while
12 Bob and Defendant NIMA MOMENI were still in the car, before they drove away at
13 approximately 2:07 a.m.

14 39. Plaintiffs are informed and believe, and thereon allege, that at all times
15 mentioned herein, Defendant NIMA MOMENI drove with Bob to the 400 block of Main Street,
16 which is a secluded area underneath the Bay Bridge. The investigating officers obtained street
17 camera footage from different locations which captured segments of the white BMW travelling
18 to the secluded area from The Millennium Tower. There is also footage of the white BMW
19 driving southbound on Main Street, arriving at the secluded area and parking on the street.

20 40. Plaintiffs are informed and believe, and thereon allege, that at all times
21 mentioned herein, Defendant NIMA MOMENI and Bob remained in the white BMW for
22 approximately thirteen minutes while it was parked alongside the road, before Bob Lee emerged
23 from the vehicle.

24 41. Plaintiffs are informed and believe, and thereon allege, that at all times
25 mentioned herein, there is video footage of Defendant NIMA MOMENI attacking Bob Lee.
26 There is distant video footage showing two men, who were wearing clothing that was consistent
27 with the outfits Defendant NIMA MOMENI and Bob Lee were wearing when they left The
28 Millenium Tower together. In the video, the two men appeared to be standing together for

1 about six minutes on the west sidewalk, which bordered a CalTrans fence. The grainy video
2 also captured Defendant NIMA MOMENI suddenly lunging toward Bob Lee. The video also
3 shows Defendant NIMA MOMENI physically advancing toward Bob Lee, while Bob is
4 retreating backwards toward the CalTrans fence.

5 42. Plaintiffs are informed and believe, and thereon allege, that at all times
6 mentioned herein, Defendant NIMA MOMENI stabbed Bob Lee once in his right hip and at
7 least twice in his left chest. At least one of the stab wounds to Bob's chest punctured his heart.
8 Bob lost a lot of blood from the stab wounds.

9 43. Plaintiffs are informed and believe, and thereon allege, that at all times
10 mentioned herein, following the attack, Bob Lee quickly turned and headed northbound on
11 Main Street. From the same video footage that captured the attack, Defendant NIMA MOMENI
12 can be seen following Bob Lee for a few moments before Nima makes an overhand throwing
13 motion near the CalTrans fence. Defendant NIMA MOMENI then appears to head in the same
14 direction as the parked white BMW.

15 44. Plaintiffs are informed and believe, and thereon allege, that at all times
16 mentioned herein, the San Francisco Police Department acquired video footage from Harrison
17 Street cameras which captures Bob Lee walking away from Main Street, clutching his chest and
18 attempting to use his cell phone.

19 45. Plaintiffs are informed and believe, and thereon allege, that at all times
20 mentioned herein, after attacking Bob Lee, there is video footage that the San Francisco Police
21 Department obtained which captures the white BMW Z4 Roadster pulling away from the scene
22 as Bob Lee is walking northbound on Main Street, and pulling up his shirt to look at his
23 midsection, in the same area where he had been stabbed. There is other video footage of the
24 white BMW Z4 Roadster speeding away from the area at around 2:34 a.m. on April 4, 2023.
25 The investigating officers were able to follow the white BMW Z4 Roadster, through other video
26 surveillance, as it traveled onto the San Francisco Bay Bridge at around 2:37 a.m. on April 4,
27 2023.

28 46. Plaintiffs are informed and believe, and thereon allege, that at all times

1 mentioned herein, at around 2:30 a.m., Bob called 911 on his cell phone after being stabbed
2 multiple times. On the 911 call, he can be heard saying that someone had stabbed him and he
3 is pleading for help multiple times.

4 47. Plaintiffs are informed and believe, and thereon allege, that at all times
5 mentioned herein, that video footage shows Bob staggering down the street and pleading for
6 help from an unknown driver in a stopped vehicle, who ultimately drove away without
7 providing any assistance. The video shows Bob collapsing in the middle of Harrison Street
8 before staggering toward the direction of Main Street.

9 48. Plaintiffs are informed and believe, and thereon allege, that at all times
10 mentioned herein, video footage obtained from Defendants, PORTSIDE HOMEOWNERS'
11 ASSOCIATION, PORTSIDE MASTER OWNERS' ASSOCIATION, SECURITAS
12 SECURITY SERVICES USA, INC., and SF OAKLAND BAY LLC, a Limited Liability
13 Company, and DOES 1 through 100, inclusive, shows Bob staggering down Main Street to the
14 front of The Portside II condominium building located at 403 Main Street, San Francisco,
15 California. Bob can be seen staggering toward a callbox, which is located outside of the front
16 entrance to The Portside II and leaving a trail of blood. He can also be seen falling to the
17 ground, then managing to get up with a struggle while fumbling with his cell phone in hand,
18 before staggering onto Main Street. He collapsed onto Main Street in front of The Portside II.
19 Additional footage shows Bob lying unresponsive on Main Street.

20 49. Plaintiffs are informed and believe, and thereon allege, that at all times
21 mentioned herein, video footage obtained from Defendants, PORTSIDE HOMEOWNERS'
22 ASSOCIATION, PORTSIDE MASTER OWNERS' ASSOCIATION, SECURITAS
23 SECURITY SERVICES USA, INC., and SF OAKLAND BAY LLC, a Limited Liability
24 Company, and DOES 1 through 100, inclusive, was released to the news media without the
25 permission of Bob's Estate, heirs or family. Bob's two children, who were both minors at the
26 time of his death, saw the video footage on news reports, and they were horrified at what they
27 saw in the video. The video footage they saw of their father, after he had been stabbed,
28 traumatized them and have caused them significant emotional distress.

1 50. Plaintiffs are informed and believe, and thereon allege, that virtually no
2 bystanders were apparent in the video footage obtained from and released by Defendants,
3 PORTSIDE HOMEOWNERS' ASSOCIATION, PORTSIDE MASTER OWNERS'
4 ASSOCIATION, SECURITAS SECURITY SERVICES, USA, INC., SF OAKLAND BAY
5 LLC, and DOES 1 through 100, inclusive. Only two vehicles appear in the approximately two
6 minutes and twenty-three seconds of video footage. When Bob Lee approached the first
7 vehicle seeking help, it quickly drove away. A second vehicle passed on the opposite side of
8 the roadway while Bob Lee was on the ground near the callbox outside The Portside II
9 building. Although Bob Lee attempted to waive down that vehicle, it continued to drive and
10 did not stop or render assistance and Plaintiffs are informed and believe that the driver did not
11 even notice Bob Lee collapsed by the callbox. Additionally, no pedestrians or bystanders on
12 foot appear anywhere in the video footage.

13 51. Plaintiffs are informed and believe, and thereon allege, that at all times
14 mentioned herein, within minutes of Bob's 911 call, officers from the San Francisco Police
15 Department arrived at the scene and found Bob unresponsive. Officers performed CPR, and
16 Bob was transported to a nearby hospital.

17 52. Plaintiffs are informed and believe, and thereon allege, that at all times
18 mentioned herein, investigating officers from the San Francisco Police Department obtained
19 video footage that shows Defendant NIMA MOMENI's white BMW arriving at his Emeryville
20 residence at approximately 2:47 a.m.

21 53. Plaintiffs are informed and believe, and thereon allege, that at all times
22 mentioned herein, medical doctors and healthcare practitioners tried to save Bob's life for
23 approximately four hours, but they were not successful. Bob was pronounced dead at
24 approximately 6:49 a.m. on April 4, 2023.

25 54. Plaintiffs are informed and believe, and thereon allege, that at all times
26 mentioned herein, officers from the San Francisco Police Department were able to follow a
27 blood trail starting about a half a block away from where Bob collapsed. They were able to
28 trace the blood trail backwards from the location where they found him unresponsive to the

front of a fenced-off parking lot. On the other side of the fence, officers located a Joseph, Joseph pairing knife, with a black handle and a blade that was approximately 3.5 inches long. There was blood on the blade of the knife. The police sent the knife to a crime lab to obtain a DNA sample. The sample confirmed that the blood on the blade belonged to Bob Lee and Defendant NIMA MOMENI's DNA was on the handle of the knife.

55. Plaintiffs are informed and believe, and thereon allege, that at all times mentioned herein, the San Francisco Police Department collected text messages from Defendant KHAZAR MOMENI to Bob, who was killed before he received the messages, which include, but are not limited to, the following content:

- April 4, 2023 at 8:31:14 a.m.: "Just wanted to make sure your doing ok"
- April 4, 2023 at 8:31:32 a.m.: "Cause I know nima came wayyyyyy down hard on you"
- April 4, 2023 at 8:31:51 a.m.: "And thank you for being such a classy man handling it with class"

56. Plaintiffs are informed and believe, and thereon allege, that at all times mentioned herein, the San Francisco Police Department obtained a search warrant relating to Defendant KHAZAR MOMENI's home at The Millennium Tower. As part of that lawful search, the San Francisco Police Department discovered that Defendant, KHAZAR MOMENI had a Joseph Joseph knife in her home, which is the same manufacturer of the knife that was used to stab and kill BOB LEE.

57. Plaintiffs are informed and believe, and thereon allege, that at all times mentioned herein, that Defendant, NIMA MOMENI, took a Joseph Joseph pairing knife from his sister's apartment at The Millennium Tower on April 4, 2023 and used it to repeatedly stab, and subsequently kill, BOB LEE. Plaintiffs are further informed and believe that Defendants, KHAZAR MOMENI, DINO ELYASSNIA, M.D., and/or MAHNAZ TAYARANI, facilitated Defendant NIMA MOMENI's access to the Joseph Joseph pairing knife used in the murder of Bob Lee.

58. Plaintiffs are informed and believe, and thereon allege, that Defendants,

1 KHAZAR MOMENI, DINO ELYASSNIA, M.D., and MAHNAZ TAYARNI were aware of
2 Defendant NIMA MOMENI's violent history, including his prior aggressions with knives, and
3 knew of his intent to confront and harm Bob Lee on the night of the killing.

4 59. Plaintiffs are informed and believe, and thereon allege, that at all times
5 mentioned herein, Defendant NIMA MOMENI had already retained a criminal defense
6 attorney within days of Bob's death. During that time frame, Defendant, NIMA MOMENI had
7 not been interviewed, arrested nor charged with any crime.

8 60. Plaintiffs are informed and believe, and thereon allege, that at all times
9 mentioned herein, there is video footage which shows Defendant NIMA MOMENI talking to a
10 private investigator in a parking lot just days after Bob's murder. Plaintiffs are informed and
11 believe, and thereon allege, that at all times mentioned herein, the video footage shows
12 Defendant NIMA MOMENI pantomiming to the investigator how he stabbed Bob on April 4,
13 2023. Plaintiffs are further informed and believe, and thereon allege, that at all times
14 mentioned herein, in the video footage, Defendant NIMA MOMENI is demonstrating to the
15 private investigator how he threw the murder weapon over the fence on April 4, 2023, where
16 law enforcement officers subsequently found it with blood on the blade.

17 61. Plaintiffs are informed and believe, and thereon allege, that at all times
18 mentioned herein, Defendant NIMA MOMENI hid at his mother's home sometime after he
19 arrived at his Emeryville residence on April 4, 2023. Defendant MAHNAZ TAYARANI is the
20 mother of Defendant NIMA MOMENI.

21 62. Plaintiffs are informed and believe, and thereon allege, that at all times
22 mentioned herein, Defendant NIMA MOMENI's family including, but not limited to,
23 Defendants KHAZAR MOMENI, and DINO ELYASSNIA, M.D., and DOES 1 through 100,
24 inclusive, helped Defendant MAHNAZ TAYARANI, and DOES 1 through 100, inclusive,
25 store his white BMW Z4 Roadster and its contents away from his residence, and at her
26 residence, so that it could not immediately be found by the investigating officers of the San
27 Francisco Police Department and the Plaintiffs.

28 63. Plaintiffs are informed and believe, and thereon allege, that at all times

mentioned herein, Defendants, MAHNAZ TAYARANI, an individual; KHAZAR MOMENI, an individual; DINO ELYASSNIA, M.D., an individual; and DOES 1 through 100, inclusive, attempted to sell Defendant NIMA MOMENI's white BMW in an effort to hide evidence from law enforcement officers at the San Francisco Police Department and Plaintiffs.

64. Plaintiffs are informed and believe, and thereon allege, that at all times mentioned herein, Defendants, MAHNAZ TAYARANI, an individual; KHAZAR MOMENI, an individual; DINO ELYASSNIA, M.D., an individual; and DOES 1 through 100, inclusive, attempted to and/or deleted information from their cell phones and purchased new cell phones after the death of Bob Lee.

65. Plaintiffs are informed and believe, and thereon allege, that at all times mentioned herein, Defendant, DINO ELYASSNIA, M.D., an individual; and DOES 1 through 100, inclusive, conducted a search on the Internet on how to erase information from a cell phone, which search had been subsequently deleted.

66. Plaintiffs are informed and believe, and thereon allege, that at all times mentioned herein, that the investigating officers from the San Francisco Police Department received a tip from one of Bob Lee's friends, suggesting that Bob may have gone to The Millennium Tower on the night he died.

67. Plaintiffs are also informed and believe, and thereon allege, that at all times mentioned herein, that Bob Lee's ex-wife, Krista Lee, received a text message on or about April 5, 2023, at approximately 11:42 p.m. from someone who told her to tell the police to check The Millennium Tower security footage of the lobby.

68. Plaintiffs are informed and believe, and thereon allege, that at all times mentioned herein, on or about April 13, 2023, law enforcement officers arrested Defendant NIMA MOMENI for the murder of Bob Lee. Defendant NIMA MOMENI was charged with Bob Lee's murder. The murder trial began on approximately October 14, 2024, in San Francisco. On or about December 16, 2024, a jury found Defendant NIMA MOMENI guilty of second-degree murder for the death of BOB LEE.

69. As a direct consequence of the matters herein alleged, Decedent sustained severe

1 injuries to his body that after an appreciable period of time resulted in his death. As a result of
2 the foregoing, Plaintiff, the ESTATE OF ROBERT HAROLD LEE, hereby asserts a survivor's
3 claim on behalf of Decedent pursuant to *Code of Civil Procedure* §§ 377.10, 377.20, 377.30, *et*
4 *seq.*, and based upon all other applicable statutes and case law and succeed to causes of action
5 that might have been brought by Decedent. Plaintiff, the ESTATE OF ROBERT HAROLD
6 LEE, therefore, seeks all damages accruing to the Decedent in a survival action, pursuant to
7 *Code of Civil Procedure* § 377.34. All of said damages combine to a sum in excess of the
8 jurisdictional minimum of this Court that the Decedent would have been entitled to had he lived
9 including pain, suffering, or disfigurement, which will be stated according to proof pursuant to
10 *Code of Civil Procedure* § 425.10. Plaintiff, the ESTATE OF ROBERT HAROLD LEE, is also
11 seeking punitive or exemplary damages for the acts and/or omissions of Defendants, and DOES
12 1 through 100, inclusive, which, as alleged in the preceding paragraphs, were willful, wanton,
13 reckless, malicious, oppressive and/or done with a conscious or reckless disregard for the rights
14 of the Decedent.

15 70. The acts and/or omissions of Defendants, and DOES 1 through 100, inclusive, as
16 alleged in the preceding paragraphs, were willful, wanton, reckless, malicious, oppressive
17 and/or done with a conscious or reckless disregard for the rights of the Decedent and the
18 Plaintiffs.

19
20 **FIRST CAUSE OF ACTION**

21 **NEGLIGENCE (Survival Action)**

22 **(By Plaintiff, the ESTATE OF ROBERT HAROLD LEE by and through its personal**
23 **representative, TIMOTHY OLIVER LEE, Against**
24 **Defendant NIMA MOMENI, and DOES 1 through 100, inclusive)**

25 71. Plaintiff realleges each and every allegation contained in the above paragraphs
26 and by this reference incorporates said paragraphs as though fully set forth herein.

27 72. Plaintiff is informed and believes, and thereon alleges, that at all times
28 mentioned herein, Defendant NIMA MOMENI, and DOES 1 through 100, inclusive, owed a

1 duty of care to Decedent not to cause harm to him. Defendant NIMA MOMENI, and DOES 1
2 through 100, inclusive, breached that duty and violated the standard of care when he murdered
3 BOB LEE.

4 73. Plaintiff is informed and believes, and thereon alleges, that at all times
5 mentioned herein, Defendant NIMA MOMENI carelessly, negligently, and recklessly
6 repeatedly stabbed BOB LEE so as to legally and proximately cause severe injuries to Decedent
7 and his eventual death after an appreciable period of time.

8 74. Plaintiff is informed and believes, and thereon alleges, that Defendant NIMA
9 MOMENI failed in his duty not to harm Decedent, by repeatedly stabbing BOB LEE, which
10 was the direct, legal, and proximate cause of the injuries and damages to Decedent, including
11 his death, as herein alleged. Defendant NIMA MOMENI knew, or in the exercise of reasonable
12 care, should have known of the probable and dangerous consequences of his conduct and
13 omissions, yet deliberately failed to avoid said consequences.

14 75. As a direct and proximate result of the conduct and omissions by Defendant
15 NIMA MOMENI, and DOES 1 through 100, inclusive, BOB LEE died.

16 76. As a direct and proximate result of the conduct and omissions by Defendant
17 NIMA MOMENI, and DOES 1 through 100, inclusive, Decedent suffered from pain, suffering
18 and disfigurement before his death in a sum within the jurisdiction of this court, which will be
19 established according to proof at the time of trial.

20 77. As a further direct and proximate result of the conduct of Defendant NIMA
21 MOMENI, and DOES 1 through 100, inclusive, Decedent, before his death, had to seek medical
22 care and treatment and employed the services of hospitals, physicians, nurses, and the like to
23 care for and treat Decedent and hospital, medical, professional, and incidental expenses were
24 incurred in a sum which will be established according to proof at trial pursuant to *Code of Civil*
25 *Procedure* § 425.10.

26 78. As a further direct and proximate result of the conduct of Defendant NIMA
27 MOMENI, and DOES 1 through 100, inclusive, Decedent lost income, earnings and other
28 financial losses, all to Decedent's economic damages in a sum which will be established

1 according to proof at trial pursuant to *Code of Civil Procedure* § 425.10.

2 79. As alleged herein, Defendant NIMA MOMENI's, and DOES 1 through 100,
3 inclusive, conduct constitutes a want of even scant care and an extreme departure from the
4 ordinary standard of conduct. Such outrageous lack of care represents Defendant NIMA
5 MOMENI's, and DOES 1 through 100, inclusive, willful and conscious disregard for the safety
6 of others, like Decedent. Said despicable conduct resulted in Decedent's injuries and death,
7 which were probable consequences of Defendant NIMA MOMENI's acts and omissions.
8 Defendant NIMA MOMENI, and DOES 1 through 100, inclusive, knew, or should have known,
9 of the probable dangerous consequences of his actions and omissions, yet he deliberately failed
10 to avoid these consequences by repeatedly stabbing and murdering Decedent on the date of the
11 incident. As alleged herein, Defendant NIMA MOMENI, and DOES 1 through 100, inclusive,
12 are guilty of oppression, fraud, and/or malice as defined in the *Code of Civil Procedure* § 3294,
13 and thus Plaintiffs should recover, in addition to actual damages, exemplary and punitive
14 damages to make an example of and to punish Defendant NIMA MOMENI, and DOES 1
15 through 100, inclusive, in an amount according to proof.

16 17 **SECOND CAUSE OF ACTION**

18 **WRONGFUL DEATH**

19 **(By Plaintiff, DAGNY LEE, an individual, and SCOUT LEE, a minor, by and through her**
20 **Guardian Ad Litem, KRISTA LEE, Against Defendant NIMA MOMENI**
21 **and DOES 1 through 100, inclusive)**

22 80. Plaintiffs reallege each and every allegation contained in the above paragraphs
23 and by this reference incorporate said paragraphs as though fully set forth herein.

24 81. At all times herein mentioned, Plaintiffs were and are the biological children of
25 Decedent, BOB LEE.

26 82. As a direct and legal result of the conduct and omissions of Defendant NIMA
27 MOMENI, an individual; and DOES 1 through 100, inclusive, Bob Lee died.

28 83. As a further direct and proximate result of the wrongful death of Decedent, the

1 Plaintiffs have been permanently deprived of Decedent's love, companionship, comfort, care,
2 assistance, protection, affection, society, and moral support and guidance, all to Plaintiffs' non-
3 economic damages in an amount in excess of the minimum jurisdiction of this Court and which
4 will be established according to proof at trial.

5 84. By reason of Defendant NIMA MOMENI's, and DOES 1 through 100, inclusive,
6 conduct and omissions, Plaintiffs have incurred medical, funeral, and burial expenses, have lost
7 the financial support of Decedent and have incurred or will incur other financial losses, loss of
8 gifts or benefits, all to Plaintiffs' economic damages in a sum which will be established
9 according to proof at trial.

10 85. As alleged herein, Defendant NIMA MOMENI's, and DOES 1 through 100,
11 inclusive, conduct constitutes a want of even scant care and an extreme departure from the
12 ordinary standard of conduct. Such outrageous lack of care represents Defendant NIMA
13 MOMENI's, and DOES 1 through 100, inclusive, willful and conscious disregard for the safety
14 of others, like Decedent. Said despicable conduct resulted in Decedent's injuries and death,
15 which were probable consequences of Defendant NIMA MOMENI's acts and omissions.
16 Defendant NIMA MOMENI, and DOES 1 through 100, inclusive, knew, or should have known,
17 of the probable dangerous consequences of his actions and omissions, yet he deliberately failed
18 to avoid these consequences by repeatedly stabbing and murdering Decedent on the date of the
19 incident. As alleged herein, Defendant NIMA MOMENI, and DOES 1 through 100, inclusive,
20 are guilty of oppression, fraud, and/or malice as defined in the *Code of Civil Procedure* § 3294,
21 and thus Plaintiffs should recover, in addition to actual damages, exemplary and punitive
22 damages to make an example of and to punish Defendant NIMA MOMENI, and DOES 1
23 through 100, inclusive, in an amount according to proof.

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1 **THIRD CAUSE OF ACTION**

2 **ASSAULT**

3 **(By Plaintiff, the ESTATE OF ROBERT HAROLD LEE by and through its personal**
4 **representative, TIMOTHY OLIVER LEE, Against**
5 **Defendant NIMA MOMENI, and DOES 1 through 100, inclusive)**

6 86. Plaintiff realleges each and every allegation contained in the above paragraphs
7 and by this reference incorporate said paragraphs as though fully set forth herein.

8 87. Plaintiff is informed and believes, and thereon alleges, that on or about April 4,
9 2023, Defendant NIMA MOMENI acted with the intent to cause harmful or offensive contact
10 with Decedent, or threatened to touch Decedent in a harmful or offensive manner, in that
11 Defendant NIMA MOMENI armed himself with a Joseph Joseph pairing knife, took Decedent
12 to an isolated area, and confronted Decedent in anger.

13 88. Plaintiff is informed and believes, and thereon alleges, that Decedent reasonably
14 believed he was about to be touched in a harmful and offensive manner after Defendant NIMA
15 MOMENI brandished the Joseph Joseph pairing knife and lunged toward him. Defendant
16 NIMA MOMENI's actions caused Decedent to fear that he was about to be stabbed.

17 89. Plaintiff is informed and believes, and thereon alleges, that at no time did
18 Decedent consent to Defendant NIMA MOMENI's threatening or violent conduct.

19 90. Plaintiff is informed and believes, and thereon alleges, that as a result of
20 Defendant NIMA MOMENI's conduct, Decedent was harmed in that he experienced immediate
21 fear and apprehension caused by the reasonable belief that he was about to be stabbed by
22 Defendant NIMA MOMENI.

23 91. Plaintiff is informed and believes, and thereon alleges, that Defendant NIMA
24 MOMENI's conduct in arming himself with the Joseph Joseph pairing knife, confronting
25 Decedent in anger, and lunging toward him was a substantial factor in causing Decedent's
26 immediate fear and apprehension that he was about to be stabbed.

27 92. As alleged herein, Defendant NIMA MOMENI's, and DOES 1 through 100,
28 inclusive, conduct constitutes a willful and conscious disregard for the safety of others, like

Decedent. Said despicable conduct resulted in Decedent's injuries and ultimate death, which were probable consequences of Defendant NIMA MOMENI's acts and omissions. Defendant NIMA MOMENI, and DOES 1 through 100, inclusive, knew, or should have known, of the probable and dangerous consequences of his actions and omissions, yet he deliberately failed to avoid these consequences by repeatedly stabbing and murdering Decedent on the date of the incident. As alleged herein, Defendant NIMA MOMENI, and DOES 1 through 100, inclusive, are guilty of oppression, fraud, and/or malice as defined in Civil Code § 3294, and thus Plaintiffs should recover, in addition to actual damages, exemplary and punitive damages to make an example of and to punish Defendant NIMA MOMENI, and DOES 1 through 100, inclusive, in an amount according to proof.

FOURTH CAUSE OF ACTION

BATTERY

(By Plaintiff, the ESTATE OF ROBERT HAROLD LEE by and through its personal representative, TIMOTHY OLIVER LEE, Against Defendant NIMA MOMENI, and DOES 1 through 100, inclusive)

93. Plaintiff realleges each and every allegation contained in the above paragraphs and by this reference incorporates said paragraphs as though fully set forth herein.

94. Plaintiff is informed and believes, and thereon alleges, that on or about April 4, 2023, Defendant NIMA MOMENI acted with the intent to cause harmful or offensive contact with Decedent, and did in fact intentionally touch Decedent in a harmful and offensive manner. Specifically, Defendant stabbed Decedent once in the right hip and at least twice in the left chest with a Joseph Joseph pairing knife.

95. Plaintiff is informed and believes, and thereon alleges, that at no time did Decedent consent to Defendant NIMA MOMENI's physical contact with Decedent's person.

96. As a result of Defendant NIMA MOMENI's conduct, Decedent was harmed in that he was stabbed once in his right hip and at least twice in his left chest, ultimately resulting in Decedent's death.

1 97. Plaintiff is informed and believes, and thereon alleges, that a reasonable person
2 in Decedent's situation would have been offended by the touching. Specifically, a reasonable
3 person would have been offended by being stabbed multiple times with a knife.

4 98. Defendant NIMA MOMENI's acts of stabbing and violent physical contact
5 against Decedent were a substantial factor in causing Decedent's injuries and death.

6 99. As alleged herein, Defendant NIMA MOMENI's, and DOES 1 through 100,
7 inclusive, conduct constitutes a willful and conscious disregard for the safety of others, like
8 Decedent. Said despicable conduct resulted in Decedent's injuries and ultimate death, which
9 were probable consequences of Defendant NIMA MOMENI's acts and omissions. Defendant
10 NIMA MOMENI, and DOES 1 through 100, inclusive, knew, or should have known, of the
11 probable and dangerous consequences of his actions and omissions, yet he deliberately failed to
12 avoid these consequences by repeatedly stabbing and murdering Decedent on the date of the
13 incident. As alleged herein, Defendant NIMA MOMENI, and DOES 1 through 100, inclusive,
14 are guilty of oppression, fraud, and/or malice as defined in Civil Code § 3294, and thus
15 Plaintiffs should recover, in addition to actual damages, exemplary and punitive damages to
16 make an example of and to punish Defendant NIMA MOMENI, and DOES 1 through 100,
17 inclusive, in an amount according to proof.

18
19 **FIFTH CAUSE OF ACTION**

20 **AIDING AND ABETTING**

21 **(By All Plaintiffs Against Defendants, MAHNAZ TAYARANI, an individual;**
22 **KHAZAR MOMENI, an individual; DINO ELYASSNIA, M.D.,**
23 **an individual; and DOES 1 through 100, inclusive)**

24 100. Plaintiffs reallege each and every allegation contained in the above paragraphs
25 and by this reference incorporate said paragraphs as though fully set forth herein.

26 101. Plaintiffs are informed and believe, and thereon allege, that at all times
27 mentioned herein, Defendant NIMA MOMENI committed an assault and battery on BOB LEE
28 by brandishing a knife and stabbing him multiple times, causing BOB LEE's death.

1 102. Plaintiffs are informed and believe, and thereon allege, that at all times
2 mentioned herein, prior to and during the assault and battery, Defendants, KHAZAR MOMENI,
3 DINO ELYASSNIA, M.D., and MAHNAZ TAYARANI, and DOES 1 through 100, inclusive,
4 knew that an assault and battery were going to be committed by Defendant NIMA MOMENI
5 against BOB LEE. Plaintiffs are further informed and believe, and thereon allege, that said
6 Defendants were aware of Defendant NIMA MOMENI's violent history, including his prior
7 aggressions involving knives, and knew of his intent to confront and harm BOB LEE on the
8 night of the murder after witnessing Defendant NIMA MOMENI's rage and anger toward BOB
9 LEE in the hours preceding the fatal attack.

10 103. Plaintiffs are informed and believe, and thereon allege, that at all times
11 mentioned herein, Defendants, KHAZAR MOMENI, DINO ELYASSNIA, M.D., and/or
12 MAHNAZ TAYARANI, and DOES 1 through 100, inclusive, gave substantial assistance and
13 encouragement to Defendant NIMA MOMENI in committing the assault and battery in that
14 they were informed by defendant, KHAZAR MOMENI, and knew before the murder that
15 defendant, KHAZAR MOMENI, claimed she had been sexually assaulted the day before while
16 at Boivin's social gathering. Defendant, NIMA MOMENI, is Defendant, KHAZAR
17 MOMENI's brother. Defendant, DINO ELYASSNIA, M.D., is Defendant, KHAZAR
18 MOMENI's husband. Defendant, MAHNAZ TAYARANI, is Defendant, KHAZAR
19 MOMENI's mother. Plaintiffs are further informed and believe, and thereon allege, that at all
20 times mentioned herein, that Defendants, NIMA MOMENI, DINO ELYASSNIA, M.D., and
21 MAHNAZ TAYARANI, and DOES 1 through 100, inclusive, were irate and upset after
22 Defendant, KHAZAR MOMENI, informed them about what she allegedly perceived to be was
23 a sexual assault against her. Plaintiffs are further informed and believe, and thereon allege, that
24 at all times mentioned herein, Defendants, KHAZAR MOMENI, DINO ELYASSNIA, M.D.,
25 and/or MAHNAZ TAYARANI, and DOES 1 through 100, inclusive, gave substantial assistance
26 and encouragement to Defendant NIMA MOMENI in committing the assault and battery in that
27 said Defendants facilitated Defendant NIMA MOMENI's access to the murder weapon, the
28 Joseph Joseph pairing knife taken from Defendant KHAZAR MOMENI's condominium, which

1 was used by Defendant NIMA MOMENI to stab BOB LEE, ultimately resulting in BOB LEE's
2 death.

3 104. Plaintiffs are informed and believe, and thereon allege, that at all times
4 mentioned herein, the conduct and/or omissions of Defendants, MAHNAZ TAYARANI,
5 KHAZAR MOMENI, DINO ELYASSNIA, M.D., and DOES 1 through 100, inclusive, was a
6 substantial factor in causing the assault and battery upon Decedent, and the resulting injuries,
7 pain and suffering, and death of Decedent, and the harm to Plaintiffs.

8 105. As a direct and proximate result of the acts and omissions of Defendants,
9 MAHNAZ TAYARANI, an individual; KHAZAR MOMENI, an individual; DINO
10 ELYASSNIA, M.D., an individual; and DOES 1 through 100, inclusive, Plaintiffs suffered
11 irreparable harm. As a result, Plaintiffs seek monetary damages in an amount presently
12 unknown but exceeding the minimum jurisdictional limit of this Court and as proven at time of
13 trial.

14
15 **SIXTH CAUSE OF ACTION**

16 **CONSPIRACY**

17 **(By All Plaintiffs Against Defendants, MAHNAZ TAYARANI, an individual;**
18 **KHAZAR MOMENI, an individual; DINO ELYASSNIA, M.D.,**
19 **an individual; and DOES 1 through 100, inclusive)**

20 106. Plaintiffs reallege each and every allegation contained in the above paragraphs
21 and by this reference incorporate said paragraphs as though fully set forth herein.

22 107. Plaintiffs are informed and believe, and thereon allege, that at all times
23 mentioned herein, Defendant NIMA MOMENI committed an assault and battery on BOB LEE
24 by brandishing a knife and stabbing him multiple times, causing BOB LEE's death.

25 108. Plaintiffs are informed and believe, and thereon allege, that at all times
26 mentioned herein, Defendants, KHAZAR MOMENI, DINO ELYASSNIA, M.D., and
27 MAHNAZ TAYARANI, and DOES 1 through 100, inclusive, were aware that Defendant
28 NIMA MOMENI intended to confront and harm BOB LEE and commit an assault and battery.

1 Plaintiffs are further informed and believe, and thereon allege, that said Defendants were aware
2 of Defendant NIMA MOMENI's violent history, including his prior aggressions involving
3 knives, and knew of his intent to confront and harm BOB LEE on the night of the murder after
4 witnessing Defendant NIMA MOMENI's rage toward BOB LEE in the hours preceding the
5 attack.

6 109. Plaintiffs are informed and believe, and thereon allege, that at all times
7 mentioned herein, Defendants, KHAZAR MOMENI, DINO ELYASSNIA, M.D., and
8 MAHNAZ TAYARANI, and DOES 1 through 100, inclusive, agreed among themselves and
9 with Defendant NIMA MOMENI, and intended that the assault and battery upon BOB LEE be
10 committed. Plaintiffs are further informed and believe, and thereon allege, that said agreement
11 included, but was not limited to, Defendants, KHAZAR MOMENI, DINO ELYASSNIA, M.D.,
12 and/or MAHNAZ TAYARANI, and DOES 1 through 100, inclusive, entering into an
13 agreement with Defendant NIMA MOMENI, that Defendant, NIMA MOMENI, would take his
14 rage out against decedent, BOB LEE, after Defendant, KHAZAR MOMENI, told Defendants,
15 KHAZAR MOMENI, DINO ELYASSNIA, M.D., and MAHNAZ TAYARANI, and DOES 1
16 through 100, inclusive, prior to decedent's murder, that she was sexually assaulted at Boivin's
17 social gathering, where decedent and his friend, had attended, and/or agreeing to facilitate
18 Defendant NIMA MOMENI's access to the murder weapon, the Joseph Joseph pairing knife
19 taken from Defendant KHAZAR MOMENI's condominium, which was used by Defendant
20 NIMA MOMENI to stab BOB LEE, ultimately resulting in BOB LEE's death. As a direct and
21 legal result of the conduct and omissions of Defendants, MAHNAZ TAYARANI, an individual;
22 KHAZAR MOMENI, an individual; DINO ELYASSNIA, M.D., an individual; and DOES 1
23 through 100, inclusive, Plaintiffs suffered irreparable harm, including the injuries and death of
24 BOB LEE and the resulting losses sustained by Plaintiffs. As a result, Plaintiffs seek monetary
25 damages in an amount presently unknown but exceeding the minimum jurisdictional limit of
26 this Court and as proven at time of trial.

27 ///

28 ///

1 **SEVENTH CAUSE OF ACTION**

2 **INVASION OF PRIVACY**

3 **(Against Defendants PORTSIDE HOMEOWNERS' ASSOCIATION, PORTSIDE**
4 **MASTER OWNERS' ASSOCIATION, SECURITAS SECURITY SERVICES USA, INC.,**
5 **SF OAKLAND BAY LLC, a Limited Liability Company,**
6 **and DOES 1 through 100, inclusive)**

7 110. Plaintiffs reallege each and every allegation contained in the above paragraphs
8 and by this reference incorporate said paragraphs as though fully set forth herein.

9 111. Plaintiffs allege that Defendants, PORTSIDE HOMEOWNERS'
10 ASSOCIATION, PORTSIDE MASTER OWNERS' ASSOCIATION, SECURITAS
11 SECURITY SERVICES USA, INC., SF OAKLAND BAY LLC, a Limited Liability Company,
12 and DOES 1 through 100, inclusive, violated their right to privacy.

13 112. Defendants, PORTSIDE HOMEOWNERS' ASSOCIATION, PORTSIDE
14 MASTER OWNERS' ASSOCIATION, SECURITAS SECURITY SERVICES USA, INC., SF
15 OAKLAND BAY LLC, a Limited Liability Company, and DOES 1 through 100, inclusive,
16 released private information concerning the stabbing of Decedent and their father, BOB LEE.

17 113. Plaintiffs became aware of videos that were released by Defendants without the
18 Plaintiffs' permission or the permission of other family members. The videos showed in great
19 detail how their father, BOB LEE, struggled and desperately pleaded for help after Defendant,
20 NIMA MOMENI, stabbed him. The videos specifically show BOB LEE pleading for help after
21 he was stabbed, stumbling down the street while leaving traces of blood, falling to the ground
22 multiple times before he became unresponsive.

23 114. The video footage obtained and released by Defendants was recorded during the
24 early morning hours of April 4, 2023, at approximately 2:30 a.m., where virtually no bystanders
25 were present. The video footage shows no pedestrians on foot. Only two vehicles can be seen
26 passing during the approximately two minutes and twenty-three seconds of video footage. One
27 vehicle quickly drove away when BOB LEE approached it attempting to seek help, and the
28 other vehicle passed BOB LEE on the opposite side of the roadway and did not stop. The video

1 footage depicts BOB LEE alone as he staggered, collapsed, and ultimately was lying motionless
2 and unresponsive. These circumstances show that the events depicted in the video footage were
3 not meaningfully exposed to public view at the time they occurred.

4 115. Plaintiffs are reasonable persons who considered the publicity highly offensive.
5 The video footage publicly exposed BOB LEE's physical suffering and final moments in a
6 manner that was highly offensive to Plaintiffs, BOB LEE's two children, who were both minors
7 at the time of his death. Upon viewing the video footage released by Defendants in the news
8 media, Plaintiffs were forced to witness their father's final dying moments of bleeding out,
9 pleading for help, and becoming unresponsive. Reasonable persons in Plaintiffs' position would
10 consider the disclosure of such video of a parent's dying moments highly offensive.

11 116. Defendants, PORTSIDE HOMEOWNERS' ASSOCIATION, PORTSIDE
12 MASTER OWNERS' ASSOCIATION, SECURITAS SECURITY SERVICES USA, INC., SF
13 OAKLAND BAY LLC, a Limited Liability Company, and DOES 1 through 100, inclusive,
14 acted with reckless disregard for the fact, that a reasonable person in Plaintiffs' position would
15 consider the publicity highly offensive.

16 117. The video footage was not a legitimate public concern, nor did it have a
17 substantial connection to a matter of legitimate public concern. Specifically, the video footage
18 did not convey any meaningful information about the commission of the crime, the identity of
19 the perpetrator, the circumstances leading up to the stabbing, or any ongoing threat to public
20 safety. While the public may have already known that BOB LEE had been stabbed and
21 murdered, the video footage did not advance public understanding of those facts. Instead, the
22 footage publicly exposed a private and extremely vulnerable moment that had not been
23 meaningfully witnessed by others at the time it occurred. It was released for pure morbidity and
24 sensationalism without legitimate public interest or law enforcement purpose because the
25 footage solely depicted BOB LEE's final dying moments while he was desperately seeking help
26 to save his own life, visibly bleeding and leaving a trail of blood, and collapsing to the ground
27 multiple times. The video footage did not show the physical act of BOB LEE being stabbed
28 multiple times by Defendant, NIMA MOMENI.

118. As a direct and proximate result of the acts and omissions of Defendants, PORTSIDE HOMEOWNERS' ASSOCIATION, PORTSIDE MASTER OWNERS' ASSOCIATION, SECURITAS SECURITY SERVICES USA, INC., SF OAKLAND BAY LLC, a Limited Liability Company, and DOES 1 through 100, inclusive, Plaintiffs were harmed. As a result, Plaintiffs seek monetary damages in an amount presently unknown but exceeding the minimum jurisdictional limit of this Court and as proven at the time of trial.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for judgment against Defendants and DOES 1 through 100 inclusive, and each of them, as follows:

1. For general damages (also known as non-economic damages), including but not limited to, past and future loss of love, companionship, comfort, care, assistance, protection, affection, society, moral support and guidance, in an amount in excess of the jurisdictional minimum, according to proof against Defendant, NIMA MOMENI, and DOES 1 through 100;

2. For special damages (also known as economic damages), including but not limited to, past and future financial support, loss of gifts and benefits, and funeral and burial expenses, in an excess of the jurisdictional minimum, according to proof against Defendant, NIMA MOMENI, and DOES 1 through 100;

3. For all damages allowable pursuant to Code of Civil Procedure § 377.34 against Defendant, NIMA MOMENI, and DOES 1 through 100;

4. For other economic and special damages according to proof against all Defendants, including but not limited to, loss of wages, earning capacity, hospital, medical, professional and incidental expenses suffered by Plaintiffs;

5. For punitive and exemplary damages in an amount according to proof as allowed under California Code of Civil Procedure § 3294 against Defendants NIMA MOMENI, MAHNAZ TAYARANI, KHAZAR MOMENI, DINO ELYASSNIA, M.D., and DOES 1 through 100, inclusive;

6. For loss of wages, earning capacity and/or business profits against all

1 Defendants;

2 7. For pre-judgment interest according to proof;

3 8. For pre-trial interest, according to proof;

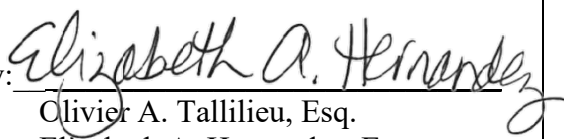
4 9. For all costs of suit incurred herein; and

5 10. For such other and further relief as the Court deems just and proper.

6
7 DATED: January 15, 2026

BD&J, P.C.

8
9 By:


Olivier A. Tallilieu, Esq.

Elizabeth A. Hernandez, Esq.

Attorneys for Plaintiffs

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DATED: January 15, 2026

By: Elizabeth A. Hernandez
Olivier A. Tallilieu, Esq.
Elizabeth A. Hernandez, Esq.
Attorneys for Plaintiffs

1 **PROOF OF SERVICE**

2 **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

3 At the time of service, I was over 18 years of age and not a party to this action. I am
4 employed in the County of Los Angeles, State of California. My business address is 11175
5 Santa Monica Blvd., Los Angeles, California 90025.

6 On January 15, 2026, I served the following document(s): **PLAINTIFFS' SECOND**
7 **AMENDED COMPLAINT FOR DAMAGES; DEMAND FOR JURY TRIAL**, on the
8 person(s) below, as follows:

9 **SEE SERVICE LIST**

10 The fax number or electronic service address from which I served the document(s) is: (424)
11 512-4266 or jch@bdj.com. The documents were served by the following means:

12 X **BY ELECTRONIC MAIL (ELECTRONIC SERVICE)**: Pursuant to Code of Civil
13 Procedure § 1010.6(e)(1) and upon agreement of the parties, I caused the document(s) listed
14 above to be sent from e-mail address jch@bdj.com to the persons at the electronic service
15 addresses listed on the Service List. I did not receive, within a reasonable time after the
16 transmission, any electronic message or other indication that the transmission was
17 unsuccessful.

18 X **BY MAIL [AS TO DEFENDANT NIMA MOMENI ONLY]**: I enclosed the
19 document(s) in a sealed envelope or package addressed to the persons at the addresses listed on
20 the Service List and placed the envelope for collection and mailing, following our ordinary
21 business practices. I am readily familiar with BD&J, PC's practice for collecting and
22 processing correspondence for mailing. On the same day that the correspondence is placed for
23 collection and mailing, it is deposited in the ordinary course of business with the United States
24 Postal Service, in a sealed envelope with postage fully prepaid.

25 **BY FACSIMILE**: Based on an agreement of the parties to accept service by fax
26 transmission, I faxed the document(s) to the persons at the fax numbers listed on the Service
27 List. No error was reported by the fax machine that I used. A copy of the record of the fax
28 transmission, which I printed, is attached.

I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct. Executed on January 15, 2026, at Fontana, California.


Jessica Huerta

SERVICE LIST

THE ESTATE OF ROBERT HAROLD LEE, ET AL. v. NIMA MOMENI, ET AL.
Case No. CGC25623810

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