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Grossly inadequate security and safety measures cited in wrongful death, negligence lawsuits filed against Simon Property Group and Allied Universal

Indianapolis, IN – Two new lawsuits allege wrongful death, gross negligence and neglect by Simon Property Group and Allied Universal Security Services in relation to the July 17, 2022 mass shooting at Greenwood Park Mall. The cases were filed in Marion Superior Court late yesterday on behalf of Rosa Gomez, who survived the shooting, and the families of Victor Gomez, Pedro Pineda and Rosa Pineda, all of whom were killed when assailant Jonathan Sapirman opened fire in the mall’s food court.

The complaints allege Defendants failed to take reasonable steps to prevent the shooting from occurring, stating “Simon’s security resources are not dedicated to proactively detecting suspicious activity, firearms, and other prohibited weapons of that nature that could harm its invitees.” Further, Plaintiffs contend that the Defendants routinely practice an uneven allocation of security resources based on perceived favorable demographic areas, without proper regard for the safety of patrons at all Simon-owned mall properties.

It appears no Allied personnel were in or near the mall’s food court at the time of the shooting, nor did they respond to provide aid in the minutes after Sapirman was killed by legally armed bystander Elisjscha Dicken.

Decedent Plaintiff Victor Gomez, the first person murdered by Sapirman, was shot point blank upon the Assailant exiting the men’s bathroom. Gomez had been waiting for his wife, Rosa, who was in the women’s restroom with their three minor children.

Sapirman had spent more than an hour in the restroom preparing to carry out the mass shooting, unchecked by security. In fact, the Assailant went entirely unnoticed on mall property as he walked through mall’s parking lot, into the mall, through its food court and into the restroom. He was wearing an oversized black backpack, full and sagging, containing an ammunition vest, a Sig Sauer model 400M rifle, a Smith and Wesson M&P15 rifle, a Glock model 33 handgun, six fully loaded 5.56 magazines and two Glock 33 magazines.

After shooting Victor, Sapirman advanced, fired dozens more rounds and appeared to target clusters of Black and Hispanic individuals. Multiple people were injured, and married couple Pedro and Rosa Pineda were killed.

Rosa Gomez stayed hidden with their children in the women’s restroom when the shooting commenced. The family remained uncertain of Victor’s fate until they were evacuated from the mall, at which time all four had to walk past his body.

Plaintiffs allege that if the dozens of video feeds throughout the parking lot and mall were adequately staffed and/or all the cameras working properly, and/or if the mall and food court had been appropriately monitored by security, this incident should have been preventable.

Plaintiffs are represented by attorneys Greg Laker and Andrea Simmons from Cohen & Malad, LLP. The firm also represents the Stewart family for injuries related to this matter, Cause No. 49D01-2401-CT-000154.

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