

Pd. 496.00

District Court Jefferson County, Colorado Court Address: 100 Jefferson County Parkway Golden, CO 80401	2025 AUG 25 AM 11:59 DATE FILED August 25, 2025 CASE NUMBER: 2025CV219 Jefferson County, CO
▲ COURT USE ONLY ▲	
Plaintiff(s): <u>Trisha Black</u>	
V.	
Defendant(s): <u>The Home Depot U.S.A., Inc.</u>	
My Name: <u>Trisha Black</u> Address: <u>1620 King St.</u> City: <u>Denver</u> State: <u>CD 80204</u> Phone: <u>412-519-3033</u> Email: <u>trishab@alumni.cmu.edu</u>	Case Number: <u>2025CV219</u> Division: <u>11</u> Courtroom: <u>140</u>
DISTRICT COURT CIVIL COMPLAINT	

1. Jurisdiction

I can file this case in Jefferson County because

(Check all that apply)

- The Defendant lives in this County
- The Defendant company does business in this County
- The actions took place in this County

2. Defendant Information

The contact information for the people responding to the lawsuit is:

Registered Agent - The person that will accept legal documents for a company. Find a company's Registered Agent at [www.sos.state.co.us](http://www.sos.state.co.us)

Defendant 1 Name: The Home Depot U.S.A., Inc.

Registered Agent: (if a company): 90 Corporate Services Company

Street Address: 1900 W. Littleton Blvd.

City/State/Zip: Littleton, CO 80120

Exhibit

Defendant 2 Name: \_\_\_\_\_

Registered Agent: (if a company): \_\_\_\_\_

Street Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

*List any additional Defendants on a separate piece of paper.*

### 3. Grounds

List the legal ground(s) that allow you to start a lawsuit.

*These are often called the Claims for Relief or Causes of Action.*

Claim 1 - Negligence

Against whom? (Check one)

All Defendants

OR

Just These Defendant(s): \_\_\_\_\_

Claim 2 - Premises Liability

Against whom? (Check one)

All Defendants

OR

Just These Defendant(s): \_\_\_\_\_

Claim 3 - Property Damage / Diminuation of Value / Negligent Infliction of Emotional Distress

Against whom? (Check one)

All Defendants

OR

Just These Defendant(s): \_\_\_\_\_

*List any additional Claims on a separate piece of paper.*

### 4. Facts

These are the facts of my case:

*The facts must qualify you for the legal grounds you are raising. Attach additional pages as needed.*

- 1) On September 27, 2023, Plaintiff purchased a custom-tinted gallon of paint at The Home Depot located at 5215 Wadsworth Blvd, Arvada, CO. An employee failed to seal + secure the paint lid, which spilled extensively into Plaintiff's vehicle during transport.
- 2) Plaintiff immediately returned to the store, where the manager attempted a superficial cleanup with water and stated it was safe to continue using the vehicle.

- 3) In the following days, Plaintiff drove the vehicle unknowingly exposed to strong paint fumes in an enclosed cabin. On October 6, 2023, Plaintiff required ER medical documentation indicates this event caused increasing pain and symptoms consistent with toxic exposure.
- 4) medical documentation indicates this event caused increasing pain and symptoms consistent with toxic exposure.
- 5) Certified laboratory testing later confirmed the presence of hazardous volatile organic compounds (VOCs) in the vehicle at levels exceeding EPA/WHO safety guidelines.
- 6) Defendant's negligence also caused permanent damages to Plaintiff's vehicle, which remains contaminated and diminished in value. Plaintiff has incurred
- 7) significant costs including medical expenses, lost wages, property loss, and emotional distress.
- 8)

5. Request for Relief: What do you want the Court to do?

Plaintiff respectfully requests that the court enter judgment in her favor and against Defendant as follows: 1) Compensatory damages 2) Pre+post judgment interest as allowed by law. 3) Costs of this action, including filing fees + service costs 4) Such other and further relief as the Court deems just and proper under the circumstances.

6. Type of trial: (Check only one box)

Court trial to the judge  
OR  
 Jury trial (if applicable, not all civil trials are entitled to jury, extra fee required)

**WARNING: ALL FEES ARE NON-REFUNDABLE. IN SOME CASES, A REQUEST FOR A JURY TRIAL MAY BE DENIED PURSUANT TO LAW EVEN THOUGH A JURY FEE HAS BEEN PAID.**

Note: All Plaintiffs filing this complaint must sign.

Tisha Black  
Signature of Plaintiff(s)

1620 King St. Denver CO 80204  
Address(es) of Plaintiff(s)

Telephone Number(s) of Plaintiff(s) 412-519-3033

## Exhibit A

On September 27, 2023, Plaintiff purchased custom-mixed paint at The Home Depot, 5215 Wadsworth Blvd, Arvada, CO. The paint lid was not secured by the store associate, resulting in a major spill in Plaintiff's vehicle. Home Depot management attempted an inadequate cleanup and directed Plaintiff to drive the contaminated vehicle. Plaintiff subsequently suffered toxic chemical exposure, requiring ER treatment and ongoing medical care. Plaintiff has incurred significant medical expenses, wage loss, property damage, and ongoing health monitoring costs. Home Depot's Executive Escalations, Customer Solutions has failed to evaluate or resolve the claim in good faith despite repeated notice and documentation.

JDF 98	<b>Affidavit of Service</b>	
<b>1. Court</b> <input checked="" type="checkbox"/> District <input type="checkbox"/> County <input type="checkbox"/> Probate <input type="checkbox"/> Juvenile Colorado County: <u>Jefferson</u> Mailing Address: <u>100 Jefferson County Parkway</u> <u>Golden, CO 80401</u>		<i>This box is for court use only.</i>
<b>2. Parties to the Case</b> Plaintiff / Petitioner: <u>Trisha Black</u> v. Defendant / Respondent: <u>The Home Depot U.S.A.</u>		
<b>3. Filed by</b> Name: <u>Trisha Black</u> Mailing Address: <u>1620 King St.</u> City: <u>Denver</u> St: <u>CO</u> Zip: <u>80204</u> Phone: <u>412-519-3033</u> Email: <u>trishab@alumni.cmu.edu</u>		<b>4. Case Details</b> Number: <u>25CV219</u> Division: <u>11</u> Courtroom: <u>140</u>

### 5. My Information

I am at least 18 years old and not a party to the action.

### 6. Documents Served

I served these documents: (Check all that apply)

Petition/Complaint  Summons  Case Cover Sheet.  
 Blank Answer form  Blank Fee Waiver forms  Demand for Compliance  
 Notice to Terminate Tenancy  Notice of No-Fault Eviction  
 Protective Order / Citation  
 Other Documents: (please identify) \_\_\_\_\_

### 7. Where and When Served

I served the documents above on (name of party) \_\_\_\_\_

In County: \_\_\_\_\_ State: \_\_\_\_\_  
On: (date) \_\_\_\_\_, at (time) \_\_\_\_\_  
At the following location: \_\_\_\_\_

**8. How Served**

I delivered the documents: (check one)

**a) To the Party**

By handing them to (print name) \_\_\_\_\_, a person identified to me as the Defendant or Respondent.

By identifying and offering the documents to the Defendant/Respondent, but they refused service. I left the documents in a conspicuous place.

**b) At Home**

By leaving them with (print name) \_\_\_\_\_, at the Defendant/Respondent's home (usual abode), who is at least 18-years old and is the Defendant/Respondent's: (enter family relationship) \_\_\_\_\_

**c) At Work**

By leaving them with (print name) \_\_\_\_\_, at the Defendant/Respondent's work (usual workplace).

They are the Defendant/Respondent's: (Check one)

Secretary.  Admin Assistant.  Bookkeeper.  Managing Agent.

By leaving them with (print name) \_\_\_\_\_ who as (enter title) \_\_\_\_\_ is authorized by appointment or law to receive service of process for the Defendant/Respondent.

**d) Other**

As otherwise allowed by Colorado Rules of Civil Procedure (C.R.C.P.) Rules 4(g) or 304(c)-(e). (Explain): \_\_\_\_\_

**e) Personal Service Not Made**

I attempted to serve the Defendant/Respondent on (number) \_\_\_\_\_ occasions, on different dates, but have not been able to complete personal service.

Personal Service Attempt 1 (enter date) \_\_\_\_\_

Personal Service Attempt 2 (enter different date) \_\_\_\_\_

I made efforts such as: \_\_\_\_\_

If checked, return to the Plaintiff/Petitioner is made on (date) \_\_\_\_\_

**Service by Posting [Eviction Cases Only]**

C.R.S. §§ 13-40-108, 112

Because I haven't been able to complete service, I posted a copy of the documents in a conspicuous place at the rental property's address stated in the Complaint or Eviction Notice on (date) \_\_\_\_\_

**9. Service Fees**

I am a:

Private process server.  Sheriff for (enter county) \_\_\_\_\_

I charged the following fees:

Base Fee \$ \_\_\_\_\_ Mileage \$ \_\_\_\_\_

No Fees Charged. Fees waived (Domestic Violence Protection Order).

**10. Verified Signature**

I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.

Executed on the (date) \_\_\_\_\_ day of (month) \_\_\_\_\_ (year) \_\_\_\_\_

at City: (or other location) \_\_\_\_\_

and State: (or country) \_\_\_\_\_

Print Your Name: \_\_\_\_\_

Your Signature: \_\_\_\_\_

District Court  
Jefferson County, Colorado  
Court Address: 100 Jefferson County Parkway Golden, CO 80401

▲ COURT USE ONLY ▲

Plaintiff(s): Trisha Black

v.

Defendant(s): The Home Depot U.S.A., Inc.

My Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

Case Number: **25CV219**  
Division: **II**  
Courtroom: **140**

### ANSWER TO DISTRICT COURT CIVIL COMPLAINT

1. A Jury Trial?

Do you want a Jury? (Check one)  No  Yes (extra fee)

2. Response to Facts

For each paragraph in the Complaint, state if the facts are:

True | False | I Don't Know

*Attach additional pages as needed.*

1) \_\_\_\_\_  
2) \_\_\_\_\_  
3) \_\_\_\_\_

- 4) \_\_\_\_\_
- 5) \_\_\_\_\_
- 6) \_\_\_\_\_
- 7) \_\_\_\_\_
- 8) \_\_\_\_\_

3. Affirmative Defense

I should not be held (as) responsible because: *(check all that apply)*

For Contracts

- We agreed to end the contract. *Accord and Satisfaction.*
- I only entered the contract because of a threat of harm. *Duress.*
- I acted after relying on misleading information by the Plaintiff. *Estoppel.*
- Other: **[DESCRIBE ANY FACTS YOU BELIEVE REFUTE THAT A CONTRACT EXISTS OR THAT PLAINTIFF HAS ANY RIGHT TO ENFORCE THE CONTRACT]**  
\_\_\_\_\_

For Injuries

- The Plaintiff understood there was a high risk of injury. *Assumption of the Risk.*
- The Plaintiff's own mistakes contributed to their injury. *Contributory Negligence.*
- The Plaintiff didn't act to reduce the damage after injury. *Failure to Mitigate.*
- Other: **[DESCRIBE ANY FACTS YOU BELIEVE REFUTE ANY RESPONSIBILITY FOR PLAINTIFF'S INJURIES.]**  
\_\_\_\_\_

For Any Type of Claim

- This debt has been discharged in a Bankruptcy.
- This matter has been decided by another case. *Res Judicata | Collateral Estoppel*.
- It is too late to start the case. *Statute of Limitations | Laches*.
- Other: \_\_\_\_\_.

4. Counterclaims?

Will you be bringing claims against the Plaintiff? (Check one)

- No
- Yes (extra fee)

- Please attach your Counterclaim as a separate document.
- The document contains my grounds for the suit.
- It also contains the facts that establish those grounds.

5. Crossclaims?

Will you be bringing a crossclaim against a co-defendant?

- No
- Yes (extra fee)

- Please attach your Crossclaim as a separate document.
- The document contains my grounds for the suit.
- It also contains the facts that establish those grounds.

**WARNING: ALL FEES ARE NON-REFUNDABLE. IN SOME CASES, A REQUEST FOR A JURY TRIAL MAY BE DENIED PURSUANT TO LAW EVEN THOUGH A JURY FEE HAS BEEN PAID.**

Note: All Defendants filing this answer must sign unless the answer is signed by an attorney.

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**VERIFICATION**

**I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.**

Executed on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_  
(date) (month) (year) (city or other location, and state OR country)

(Printed name of Defendant(s)) \_\_\_\_\_ Signature of Defendant(s) \_\_\_\_\_

Signature of Attorney for Defendant(s) (if applicable) \_\_\_\_\_

Address(es) of Defendant(s): \_\_\_\_\_

Phone Number(s) of Defendant(s): \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I certify that on \_\_\_\_\_ (date) a true and accurate copy of this *ANSWER TO DISTRICT COURT COMPLAINT* was served on \_\_\_\_\_ the other party(s) or attorney(s) by:

Hand Delivery

or

by placing it in the United States mail, postage pre-paid, and addressed to the following:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Defendant(s) Signature