

District Court Jefferson County, Colorado Court Address: 100 Jefferson County Parkway Golden, CO 80401		Pd. 496 ⁰⁰ 2025 AUG 25 AM 11:58 DATE FILED August 25, 2025 CASE NUMBER: 2025CV219 Criminal Court 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>CO</u> 80204 Phone: <u>412-519-3033</u> Email: <u>trishab@alumni.cmu.edu</u>		Case Number: <u>25CV219</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

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

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

Street Address: 1900 W. Littleton Blvd.

City/State/Zip: Littleton, CO 80120

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 / Diminution of Value / Negligent
Against whom? (Check one)
☒ All Defendants
OR
☐ Just These Defendant(s): _____
Infliction of Emotional Distress

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
- 4) Medical documentation indicates this event caused increasing pain and symptoms consistent with toxic exposure. ^{medical care}
- 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) 412-5193033

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	Affidavit of Service	
1. Court <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>		<div style="border: 1px solid black; height: 150px; width: 100%; background-color: #f0f0f0; text-align: center; vertical-align: middle;">This box is for court use only.</div>
2. Parties to the Case Plaintiff / Petitioner: <u>Trisha Black</u> v. Defendant / Respondent: <u>The Home Depot U.S.A. Inc</u>		
3. Filed by 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@alumini.cmu.edu</u>		
4. Case Details 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): <u>Trisha Black</u> <hr/> V. Defendant(s): <u>The Home Depot U.S.A., Inc.</u> <hr/> <hr/>	Case Number: <u>25CV219</u> Division: <u>II</u> Courtroom: <u>140</u>
My Name: _____ Address: _____ City: _____ State: _____ Phone: _____ Email: _____	
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.

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