

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY**

ALVINO CRAWFORD and)
BEVERLY CRAWFORD,)
individually, and as the parents of decedent)
ALVINO DWIGHT CRAWFORD)
)
Plaintiffs,)
)
v.)
)
JIMENEZ ARMS, INC., a Nevada)
Corporation; GREEN TIP ARMS LLC, a)
Missouri Company; GREEN TIP ARMS)
LLC, an Arizona Company;)
CHRISTOPHER BENDET, an individual;)
JAMES SAMUELS, an individual.)
)
Defendants.)

Case No: 1916-CV17245

JOINT PETITION FOR APPROVAL OF SETTLEMENT

COMES NOW Plaintiffs Alvino and Beverly Crawford (hereinafter “Plaintiffs”), individually, and as surviving parents of Alvino Dwight Crawford (hereinafter “Decedent”), by and through their attorneys, and Defendants Green Tip Arms LLC (a Missouri company), Green Tip Arms LLC (an Arizona company), and Christopher Bendet (together, “the Green Tip Arms Defendants”), and jointly request this Court to approve the settlement made in connection with the claims arising out of Decedent’s death against the Green Tip Arms Defendants, and states to the Court as follows:

1. Plaintiffs, Alvino and Beverly Crawford, are the adoptive parents of Decedent.
2. At the time of Decedent’s death, Decedent was not a minor, was unmarried, had no children, and was survived by his father, Alvino Crawford, and mother, Beverly Crawford.

3. Decedent's parents are Tier 1 wrongful death beneficiaries and comprise the entire class entitled to bring and/or recover for Decedent's wrongful death under RSMo. § 537.080.
4. Decedent's wrongful death arises from a shooting on July 5, 2016 in which Decedent was shot and killed (hereinafter "the Incident").
5. Plaintiffs allege that the Green Tip Arms Defendants' actions caused or contributed to the death of Decedent and Plaintiff's claims.
6. The Green Tip Arms Defendants deny any and all liability arising from the death of Decedent.
7. Plaintiffs have fully investigated the facts and circumstances surrounding the claims against the Green Tip Arms Defendants.
8. Plaintiffs have negotiated a non-monetary, injunctive relief settlement with the Green Tip Arms Defendants in which the Green Tip Arms Defendants have agreed to the following terms summarized here and fully presented in the settlement agreement attached as Exhibit A.

- **Summary of Key Settlement Terms**

- Green Tip Arms LLC (an Arizona company) will formally surrender its federal firearms license to the U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives.
- Christopher Bendet will maintain in his possession for five (5) years an unredacted physical or electronic copy of Green Tip Arms' Acquisition and Disposition Book records for the period of October 1, 2015 through April 1, 2016.
- Christopher Bendet will dissolve Green Tip Arms LLC (an Arizona Company).

- Christopher Bendet will not, at any future date, sell or transfer any firearms for profit, or be engaged in any firearms business in any capacity except that he may sell a limited number of firearms (as described in the settlement agreement) that are in his personal collection in accordance with any applicable laws pertaining to private party firearm transactions and so long as he conducts a background check on the purchaser at a federally licensed firearms dealer.
 - Christopher Bendet will provide to the Crawfords, through their attorneys, a signed copy of the authorization directed to Christopher Bendet's cell phone service provider authorizing the provider to provide all records of his telephone calls and messages.
 - Christopher Bendet agrees to appear on reasonable notice to testify in Jackson County, Missouri, at any trial in *Crawford v. Jimenez Arms et al.*, including agreeing to accept service of a subpoena through his counsel.
9. Because the instant settlement with the Green Tip Arms Defendants solely involves injunctive relief, RSMo. 537.095 (pertaining to recovery and distribution of damages under the Wrongful Death Act) is not applicable.
10. Plaintiffs have negotiated this settlement with the Green Tip Arms Defendants with the understanding that this settlement serves as a full and complete settlement of Plaintiffs' claim against the Green Tip Arms Defendants.
11. The settlement does not contain any monetary payments. As such, Plaintiffs' attorneys do not seek any attorney's fees or costs as a result of this settlement.
12. Plaintiffs further understand and agree that they will have no further claim of any kind, arising from the Incident, against the Green Tip Arms Defendants and have released and

forever discharged the Green Tip Arms Defendants for any claim arising from, or in any way relating to, the Incident.

13. Plaintiffs fully realize that they have a legal right to try this lawsuit before a jury and to call any and all witnesses whom they desire to call.

14. Plaintiffs understand that if they elected to proceed to trial in this matter, a jury may determine that they are entitled to financial damages, or that they are entitled to nothing at all.

15. Plaintiffs choose to forego their right to a trial by jury and request that the Court approve the settlement of Plaintiffs' claims.

16. Plaintiffs understand that if the settlement is approved by the Court, and that after Green Tip Arms LLC surrenders its federal firearms license, Plaintiffs will dismiss the Green Tip Arms Defendants from this action, thereby extinguishing any and all claims or causes of action against the Green Tip Arms Defendants arising from the wrongful death of Decedent.

17. In full knowledge and understanding of the foregoing, Plaintiffs request that this Court approve the settlement.

WHEREFORE, Plaintiffs and the Green Tip Arms Defendants respectfully request that this Court enter the proposed order, attached as Exhibit B, approving the above-described settlement.

Respectfully submitted:

/s/ Eric Dirks

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ATTORNEYS FOR DEFENDANTS
GREEN TIP ARMS LLC, AND
CHRISTOPHER BENDET

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing was filed with the Court on this 28th day of January, 2020, using the Court's case.net service, which will provide notice of all counsel of record. In addition, a true and correct copy of the foregoing was served on the following parties via first-class, postage prepaid U.S. mail:

James Samuels *as Individual*
US Probation & Pretrial Services
Leavenworth Detention Center
100 Highway Terrace
Leavenworth, KS 66048

/s/ Eric Dirks
Eric Dirks

ATTORNEY FOR PLAINTIFFS ALVINO AND
BEVERLY CRAWFORD