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DEPUTY
Case No. C20268308
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IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF PIMA

JOSHUA TROETEL and SHANNON AKIMI TROETEL, husband and wife, individually as statutory beneficiaries and on behalf of the ESTATE OF SOPHIA AKIMI TROETEL, deceased; ANDREA HOPE SANTOS and LEO SANTOS, JR., individually as statutory beneficiaries and on behalf of the ESTATE OF JOSIAH PATRICK SANTOS, deceased; and CARLOS CASTILLO and ROSA MENDOZA, individually as statutory beneficiaries and on behalf of the ESTATE OF KATYA ROSAURA CASTILLO-MENDOZA, deceased,

Plaintiffs,

v.

CITY OF TUCSON, a municipal corporation and body politic; LOUIS JOHN ARTAL, an individual; XYZ TRUSTS 1–10; JOHN AND JANE DOES 1–20; BLACK AND WHITE CORPORATIONS 1–10; and ABC PARTNERSHIPS 1–10,

Defendants.

Case No.

COMPLAINT

(Tort — Motor Vehicle / Non-Motor Vehicle)

Wrongful Death; Negligence; Gross Negligence; Negligence Per Se; Survival Action; Punitive Damages

(Jury Trial Demanded)

Plaintiffs Joshua Troetel and Shannon Akimi Troetel, Andrea Hope Santos and Leo Santos, Jr., and Carlos Castillo and Rosa Mendoza, individually as statutory beneficiaries and on behalf of the Estates of Sophia Akimi Troetel, Josiah Patrick Santos, and Katya Rosaura Castillo-Mendoza, respectively, by and through undersigned counsel, for their Complaint against Defendants allege as follows:

DAMAGE TIER

1. Plaintiffs allege their damages are such as to qualify for discovery under Tier 3 of the Arizona Rules of Civil Procedure 26.2.

INTRODUCTION

2. This is a wrongful-death action arising from the deaths of three University of Arizona students, Sophia Akimi Troetel, Josiah Patrick Santos, and Katya Rosaura Castillo-Mendoza, who were struck by a motor vehicle at approximately 11:00 p.m. on October 30, 2025 ("Collision"), while lawfully crossing North Euclid Avenue in the marked crosswalk at East Second Street in Tucson, Arizona (the "Subject Intersection").

3. The vehicle that struck Sophia, Josiah, and Katya was a 2019 Porsche Boxster that was driven by Defendant Louis John Artal, then a 19-year-old University of Arizona student.

4. The Subject Intersection is owned, controlled, and maintained by Defendant City of Tucson.

5. Before the Collision, the City knew the Subject Intersection presented a safety hazard to pedestrians.

6. Plaintiffs, the parents and statutory beneficiaries of Sophia, Josiah, and Katya, bring this action on their own behalf and on behalf of their children's Estates for wrongful death, negligence, gross negligence, negligence *per se*, and survival damages.

PARTIES

7. Plaintiffs Joshua Troetel and Shannon Akimi Troetel are husband and wife, reside in New York, New York, and are the natural parents of decedent Sophia Akimi

Troetel. They bring this action individually as statutory beneficiaries under A.R.S. §§ 12-611 through 12-613 and on behalf of the Estate of Sophia Akimi Troetel.

8. Plaintiffs Andrea Hope Santos and Leo Santos, Jr. are the natural parents of decedent Josiah Patrick Santos. They bring this action individually as statutory beneficiaries under A.R.S. §§ 12-611 through 12-613 and on behalf of the Estate of Josiah Patrick Santos.

9. Plaintiffs Carlos Castillo and Rosa Mendoza are the natural parents of decedent Katya Rosaura Castillo-Mendoza. They bring this action individually as statutory beneficiaries under A.R.S. §§ 12-611 through 12-613 and on behalf of the Estate of Katya Rosaura Castillo-Mendoza.

10. Defendant City of Tucson (the "City" or "Tucson") is a municipal corporation and body politic organized under the laws of the State of Arizona and located in Pima County, Arizona.

11. At all relevant times, the City acted through its Department of Transportation and Mobility ("DTM") and its other departments, officers, employees, and agents, each of whom acted within the course and scope of his or her employment or agency. The City is vicariously liable for their acts and omissions under the doctrine of respondeat superior.

12. Defendant Louis John Artal ("Louis Artal") is an individual who, on information and belief, resides in Pima County, Arizona. At all relevant times, Louis Artal was a 19-year-old University of Arizona student living in Tucson, Arizona, and was the driver of the 2019 Porsche Boxster that struck and killed Sophia, Josiah, and Katya.

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13. According to University of Arizona Police Department records, the 2019 Porsche Boxster that struck Sophia, Josiah, and Katya bore California license plate "ARTAL".

14. Defendants XYZ Trusts 1–10 are trusts, family trusts, or other fiduciary entities whose true names are presently unknown to Plaintiffs and that, on information and belief, may hold title to, own, control, fund, insure, or have furnished assets relevant to the claims herein. Plaintiffs will amend this Complaint to allege their true names, and the capacities of their trustees, when ascertained.

15. Defendants John and Jane Does 1–20, Black and White Corporations 1–10, and ABC Partnerships 1–10 are individuals (including public employees, contractors, consultants, engineers, and design professionals), corporations, and partnerships whose true names are presently unknown to Plaintiffs and whose acts or omissions caused or contributed to the Collision and the deaths of Sophia, Josiah, and Katya, including persons or entities involved in the design, evaluation, prioritization, funding, delay, maintenance,

or operation of the Subject Intersection, or in the ownership, entrustment, furnishing, or provision of the Porsche or of alcohol to Louis Artal. Plaintiffs will amend this Complaint to allege their true names and capacities when ascertained.

JURISDICTION AND VENUE

16. This Court has subject-matter jurisdiction over this action pursuant to Article VI, Section 14 of the Arizona Constitution and A.R.S. § 12-123.

17. This Court has personal jurisdiction over the City because the City is an Arizona municipal corporation located in Pima County, Arizona.

18. This Court has personal jurisdiction over Louis Artal because he resides in Arizona and because he caused the events giving rise to this action to occur in Pima County, Arizona.

19. Arizona's long-arm rule, Ariz. R. Civ. P. 4.2(a), confers jurisdiction over non-resident defendants to the fullest extent permitted by the Due Process Clause of the United States Constitution.

20. Louis Artal was enrolled at the University of Arizona and resided in Tucson, Arizona, at all relevant times.

21. Venue is proper in Pima County pursuant to A.R.S. § 12-401 because the Collision occurred in Pima County, the City is located in Pima County, and, on information and belief, Louis Artal resides in Pima County.

22. The amount in controversy exceeds the minimum jurisdictional threshold of this Court. Pursuant to Rule 26.2 of the Arizona Rules of Civil Procedure, Plaintiffs certify that this action qualifies for, and Plaintiffs designate, Tier 3 discovery.

COMPLIANCE WITH A.R.S. §§ 12-821 AND 12-821.01

23. By April 24, 2026, within 180 days after the accrual of these claims, Plaintiffs served a Notice of Claim on the City pursuant to A.R.S. § 12-821.01(A) by private process service upon the Office of the City Clerk, the Office of the City Attorney, and the Office of the City Manager.

24. The Notice of Claim set forth facts sufficient to permit the City to

understand the basis upon which liability is claimed and stated specific amounts for which the claims could be settled, together with the facts supporting those amounts.

25. More than 60 days have elapsed since service of the Notice of Claim. The City has not paid or otherwise resolved the claims, and the claims are deemed denied pursuant to A.R.S. § 12-821.01(E).

26. This action is filed within one year after the causes of action accrued and is timely under A.R.S. § 12-821. All conditions precedent to this action have been satisfied.

27. Before filing this Complaint, Plaintiff Joshua Troetel petitioned this Court under Rule 27 of the Arizona Rules of Civil Procedure to *inter alia* preserve and obtain evidence before suit (Pima County Superior Court Case No. C20259071; Petition filed December 24, 2025; Orders entered December 29, 2025 and March 2, 2026). Pursuant to those Orders, Plaintiffs served subpoenas on the City, DTM, the University of Arizona Police Department, University of Arizona Parking and Transportation Services, and other custodians.

GENERAL ALLEGATIONS

A. The Subject Intersection

28. The Subject Intersection, North Euclid Avenue at East Second Street in Tucson, Arizona, is under the jurisdiction, ownership, control, and maintenance of the City, acting through DTM.

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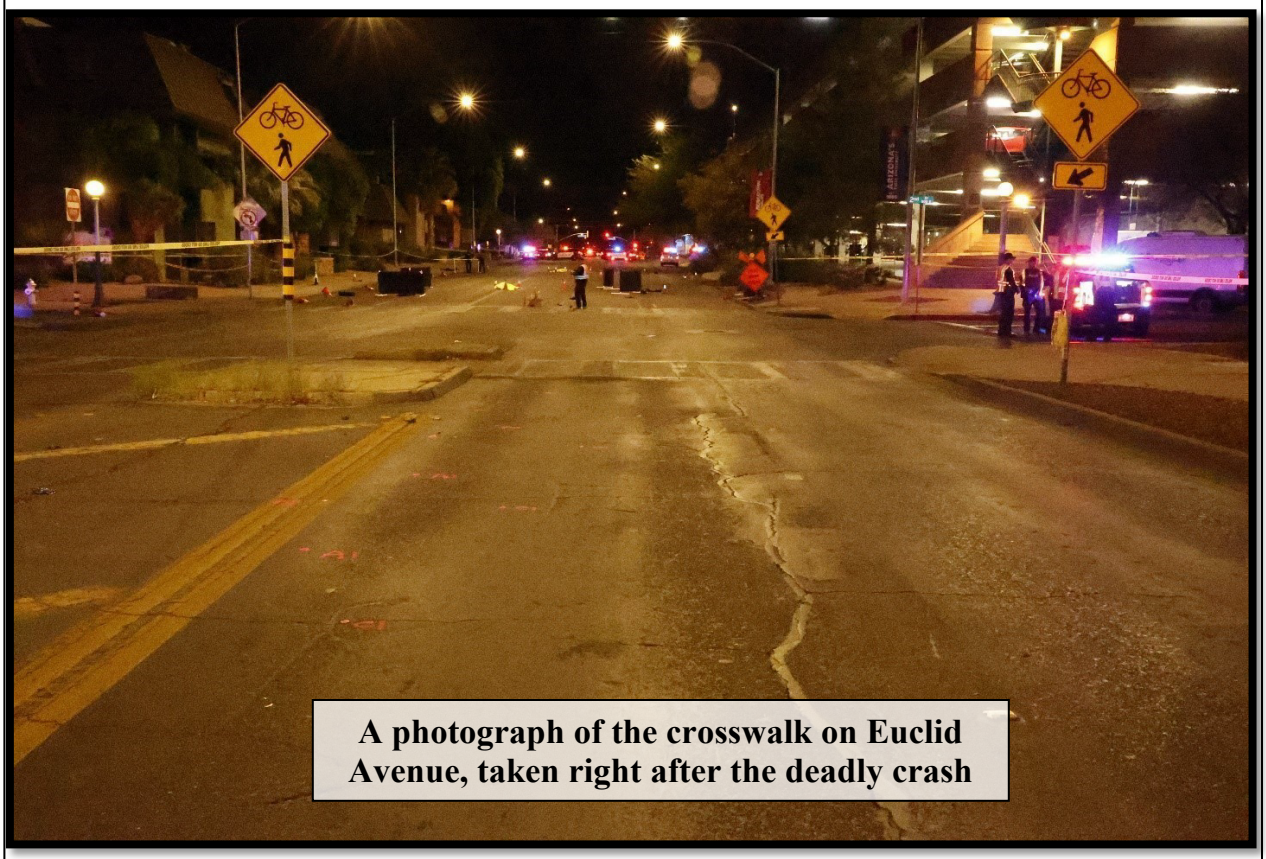

A photograph of the crosswalk on Euclid Avenue, taken right after the deadly crash

29. North Euclid Avenue is a multi-lane arterial roadway that runs north–south along the western boundary of the University of Arizona campus.

30. At the Subject Intersection, Euclid Avenue has two through lanes in each direction and, at the north crosswalk, a fifth lane for the southbound-to-eastbound left-turn movement; a pedestrian crossing Euclid Avenue in the north crosswalk therefore crosses five lanes. East Second Street is stop-controlled at the Subject Intersection; Euclid Avenue is not controlled by any stop sign or signal.

31. East Second Street intersects Euclid Avenue at the Subject Intersection and provides access to the Main Gate Garage at 815 North Euclid Avenue, a major University of Arizona parking facility.

32. The University Services Building at 888 North Euclid Avenue, adjacent to the Subject Intersection, houses University of Arizona offices including the Office of Public Safety, Human Resources Division, Business Affairs Office, Finance & Budget

Administration, Office of Institutional Equity, International Affairs, Bursar's Office, Arizona Student Media, and Arizona Arts Live.

33. The Subject Intersection is located in the heart of the University of Arizona campus district, one of the most heavily trafficked pedestrian corridors in the Tucson metropolitan area.

34. The area surrounding the Subject Intersection includes student housing, university facilities, commercial establishments catering to students, and entertainment venues.

35. The area surrounding the Subject Intersection includes a concentration of bars, restaurants, and other establishments that serve alcohol.

36. Before the Collision, the City knew the Subject Intersection was located in a district with multiple bars and alcohol-serving establishments.

37. Because of the surrounding bars, restaurants, and social destinations, pedestrian volumes at the Subject Intersection remain high late into the evening and night, especially during the Fall semester.

38. Before the Collision, the City knew that pedestrians, including University of Arizona students, crossed Euclid Avenue at the Subject Intersection in high volumes at night.

39. On information and belief, before the Collision the City knew that motorists who had consumed alcohol regularly drove through the Subject Intersection at night.

40. Before the Collision, the City knew that speeding drivers were a foreseeable hazard on Euclid Avenue at the Subject Intersection.

41. Before the Collision, the City knew that distracted drivers were a foreseeable hazard on Euclid Avenue at the Subject Intersection.

42. Before the Collision, the City knew that impaired drivers were a foreseeable hazard on Euclid Avenue at the Subject Intersection.

43. At all times before the Collision, the posted speed limit on Euclid Avenue at the Subject Intersection was 30 miles per hour.

44. At all times before the Collision, the Subject Intersection was not signalized: it had no traffic signal.

45. At all times before the Collision, the Subject Intersection had no stop sign controlling traffic on Euclid Avenue.

46. At all times before the Collision, the Subject Intersection had no High-intensity Activated crossWalK ("HAWK") signal, the device the Manual on Uniform Traffic Control Devices ("MUTCD") designates as a pedestrian hybrid beacon.

47. At all times before the Collision, the Subject Intersection had no other pedestrian-activated signal.

48. At all times before the Collision, the Subject Intersection had no Rectangular Rapid Flashing Beacon ("RRFB").

49. At all times before the Collision, the Subject Intersection had no flashing amber beacon.

50. From no later than February 2021 until the Collision, the Subject Intersection had no active warning device other than unlit, non-flashing static pedestrian and bicycle crossing signs, located at the crosswalks themselves; there was no warning sign in advance of the crosswalk on either approach of Euclid Avenue.

51. At all times before the Collision, the Subject Intersection had no raised median on Euclid Avenue at the north crosswalk, the crosswalk Sophia, Josiah, and Katya were using; at that crosswalk the northbound and southbound lanes of Euclid Avenue were separated only by a painted southbound left-turn lane.

52. At all times before the Collision, the Subject Intersection had no pedestrian refuge island on Euclid Avenue at the north crosswalk.

53. From no later than February 2021 until the Collision, the pedestrian crossing at the Subject Intersection consisted of an uncontrolled, marked, high-visibility crosswalk accompanied only by unlit, non-flashing static pedestrian and bicycle crossing signs.

54. Historical Google Street View imagery shows that the marked crosswalk at the Subject Intersection was in place by January 2008, and that the static pedestrian and

bicycle crossing (W11-15) signs at the crosswalks were in place by June 2013, before the City adopted Tucson Policy 7.44.

55. Historical Google Street View imagery also shows that, from at least January 2008, a W11-15 advance warning sign stood on the east side of Euclid Avenue approximately 110 feet south of the north crosswalk, facing northbound traffic, and that by June 2013 the sign had been fitted with a solar panel and border LEDs, an LED-enhanced sign of the kind recognized by Section 2A.07 of the MUTCD, and an active warning device.

56. The LED-enhanced northbound advance warning sign is present in Google Street View imagery dated January 2021 and absent in imagery dated February 2021. The City never replaced it. From February 2021 until the Collision, there was no warning sign in advance of the crosswalk on either approach of Euclid Avenue, and northbound motorists approaching the Subject Intersection received no advance warning of the crosswalk at all.

57. The City's own Traffic Count Station data for Location B-79, on Euclid Avenue just north of Second Street, reflects annual average daily traffic exceeding 15,000 vehicles per day at the Subject Intersection.

STATION DATA

Directions: 2-WAY NB SB

AADT

Year	AADT	DHV-30	K %	D %	PA	BC	Src
2025	24,185[3]						Grown from 2024
2024	24,137[3]						Grown from 2023
2023	23,922	1,993	8	56	23,376 (98%)	545 (2%)	
2022	28,401[3]						Grown from 2021
2021	27,790[3]						Grown from 2020

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AADT

	Year	AADT	DHV-30	K %	D %	PA	BC	Src
	2020	25,036[3]						Grown from 2019
	2019	27,184[3]						Grown from 2018
	2018	27,157	2,229	8	56			
	2017	24,609[3]						Grown from 2016
	2016	23,777[3]						Grown from 2015

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AADT

	Year	AADT	DHV-30	K %	D %	PA	BC	Src
	2015	23,265	2,235	10	52			
	2014	28,869[3]						Grown from 2013
	2013	28,331[3]						Grown from 2012
	2012	26,652[3]						Grown from 2011
	2011	26,546	2,239	8	60			

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Table 11. Recommendations for installing marked crosswalks and other needed pedestrian improvements at uncontrolled locations.*

Roadway Type (Number of Travel Lanes and Median Type)	Vehicle ADT ≤ 9,000			Vehicle ADT >9,000 to 12,000			Vehicle ADT >12,000–15,000			Vehicle ADT > 15,000		
	Speed Limit**											
	≤ 48.3 km/h (30 mi/h)	56.4 km/h (35 mi/h)	64.4 km/h (40 mi/h)	≤ 48.3 km/h (30 mi/h)	56.4 km/h (35 mi/h)	64.4 km/h (40 mi/h)	≤ 48.3 km/h (30 mi/h)	56.4 km/h (35 mi/h)	64.4 km/h (40 mi/h)	≤ 48.3 km/h (30 mi/h)	56.4 km/h (35 mi/h)	64.4 km/h (40 mi/h)
Two lanes	C	C	P	C	C	P	C	C	N	C	P	N
Three lanes	C	C	P	C	P	P	P	P	N	P	N	N
Multilane (four or more lanes) with raised median***	C	C	P	C	P	N	P	P	N	N	N	N
Multilane (four or more lanes) without raised median	C	P	N	P	P	N	N	N	N	N	N	N

58. Traffic count data published by the Pima Association of Governments indicate that average daily traffic on Euclid Avenue at the Subject Intersection has exceeded 15,000 vehicles per day since at least 2012, before Tucson Policy 7.44 was adopted.

59. The City's own Miovision turning-movement count at the Subject Intersection, performed November 14–16, 2023 in connection with the design of the signalized crossing, recorded 28,092 and 27,993 two-way vehicles on Euclid Avenue in the two 24-hour periods counted, 785 and 792 pedestrians per day crossing Euclid Avenue

in the two crosswalks, and 40 to 82 pedestrian crossings in most daytime hours.

60. According to the City's Traffic Engineering Division, the City does not possess and cannot produce the original date of installation of the crosswalk, any engineering studies or evaluations performed before its installation, or the original design plans, drawings, or specifications for the Subject Intersection and crosswalk.

61. The City has produced no engineering study supporting the installation of the uncontrolled marked crosswalk at the Subject Intersection.

62. The City has produced no engineering study supporting the continued maintenance of the uncontrolled marked crosswalk at the Subject Intersection.

63. The City's productions in response to subpoenas are consistent with the absence of any engineering study: the "Standards and Warrants" category of the City Clerk's production contained no documents, and the City's 2024 HAWK ranking memorandum states that candidate locations are ranked "independent of an engineering study."

B. The City's Own Adopted Standards Condemned the Configuration It Maintained

64. Effective March 1, 2014, the City adopted Department of Transportation Policy 7.44, titled "Removal of Pedestrian Crosswalk Pavement Markings" ("Tucson Policy 7.44").

65. The marked crosswalk at the Subject Intersection, in place by January 2008 and unsupported by any engineering study the City can produce, is among the legacy marked crosswalks that Tucson Policy 7.44 was adopted to address.

66. Tucson Policy 7.44 states that the City "has accumulated many marked crosswalks" and that "many times, these crosswalks were striped without the benefit of an engineering study."

67. Tucson Policy 7.44 states that an "engineering study should be performed before a marked crosswalk is installed at a location away from a traffic control signal or an approach controlled by a STOP or YIELD sign."

68. Tucson Policy 7.44 also calls for the engineering study of existing marked crosswalks, under Section 3B.18 of the 2009 MUTCD, and directs that marked crosswalks at locations with posted speed limits of 45 miles per hour or more be removed.

69. Tucson Policy 7.44 acknowledges that "studies have shown that, in certain situations, pedestrian-related crashes increase with the presence of a marked crosswalk."

70. Tucson Policy 7.44 provides that marked crosswalks "will be removed if they are the only traffic control device present."

71. Tucson Policy 7.44 further provides that, before an existing marked crosswalk is removed, a pedestrian survey is taken, and that a crosswalk is removed at the next resurfacing only if fewer than 20 pedestrians—or 15 elderly or child pedestrians—cross in the peak hour.

72. Pedestrian use at the Subject Intersection was two to four times Tucson Policy 7.44's removal threshold. Under the City's own policy, removal of the marked crosswalk was therefore not the prescribed response; the prescribed response was to supplement the crossing with the substantial crossing improvement that Table 11 identifies for an "N" location.

73. For locations with a posted speed limit of 40 miles per hour or less, Tucson Policy 7.44 directs the City to follow the guidance in Table 11 of the Federal Highway Administration's 2005 report, *Safety Effects of Marked vs. Unmarked Crosswalks at Uncontrolled Locations* (the "FHWA Safety Report").

Table 11. Recommendations for installing marked crosswalks and other needed pedestrian improvements at uncontrolled locations.*

Roadway Type (Number of Travel Lanes and Median Type)	Vehicle ADT ≤ 9,000			Vehicle ADT >9,000 to 12,000			Vehicle ADT >12,000–15,000			Vehicle ADT > 15,000		
	Speed Limit**											
	≤ 48.3 km/h (30 mi/h)	56.4 km/h (35 mi/h)	64.4 km/h (40 mi/h)	≤ 48.3 km/h (30 mi/h)	56.4 km/h (35 mi/h)	64.4 km/h (40 mi/h)	≤ 48.3 km/h (30 mi/h)	56.4 km/h (35 mi/h)	64.4 km/h (40 mi/h)	≤ 48.3 km/h (30 mi/h)	56.4 km/h (35 mi/h)	64.4 km/h (40 mi/h)
Two lanes	C	C	P	C	C	P	C	C	N	C	P	N
Three lanes	C	C	P	C	P	P	P	P	N	P	N	N
Multilane (four or more lanes) with raised median***	C	C	P	C	P	N	P	P	N	N	N	N
Multilane (four or more lanes) without raised median	C	P	N	P	P	N	N	N	N	N	N	N

74. Chapter 4 of the FHWA Safety Report states that the underlying study "revealed that under no condition was the presence of a marked crosswalk alone at an uncontrolled location associated with a significantly lower pedestrian crash rate compared to an unmarked crosswalk."

75. The FHWA Safety Report states that "on multilane roads with traffic volumes greater than 12,000 vehicles per day, having a marked crosswalk was associated with a higher pedestrian crash rate . . . compared to an unmarked crosswalk."

76. The FHWA Safety Report states that on multilane roadways "more substantial improvements often are needed for safer pedestrian crossings, such as providing raised medians, installing traffic signals (with pedestrian signals) when warranted, implementing speed-reducing measures, and/or other practices."

77. Table 11 of the FHWA Safety Report, the table Tucson Policy 7.44 adopts (and that the City adopted in 2014), states that "marked crosswalks alone (i.e., without traffic-calming treatments, traffic signals and pedestrian signals when warranted, or other substantial crossing improvement) are insufficient, and should not be used" under specified conditions, which Table 11 designates "N."

78. Table 11 defines the "N" designation as follows: "Marked crosswalks alone are insufficient, since pedestrian crash risk may be increased by providing marked crosswalks alone. Consider using other treatments, such as traffic-calming treatments, traffic signals with pedestrian signals where warranted, or other substantial crossing improvement to improve crossing safety for pedestrians."

79. Under Table 11, a multi-lane roadway carrying more than 15,000 vehicles per day, with or without a raised median, is an "N" location at which a marked crosswalk alone is insufficient and should not be used.

80. The Subject Intersection is a multi-lane roadway carrying more than 15,000 vehicles per day, and the crosswalk Sophia, Josiah, and Katya were using had no raised median or pedestrian refuge island.

81. At the time of the Collision, under Tucson Policy 7.44 and the FHWA Safety

Report it adopts, the marked crosswalk alone at the Subject Intersection was insufficient.

82. At the time of the Collision, under Tucson Policy 7.44 and the FHWA Safety Report it adopts, the marked crosswalk alone at the Subject Intersection should not have been used.

83. The FHWA Safety Report states that the effects of "supplemental signs and other devices" at marked crosswalks are not well known and that "pedestrian crossing signs should only be used at locations that are unusually hazardous."

84. The FHWA Safety Report describes a marked crosswalk "alone" as one "without other substantial improvements"; notes that "very few of the marked crosswalks" it studied "had any type of supplemental pedestrian warning signs"; treats warning signs as devices used "to supplement marked crosswalks"; and reserves the term "more substantial improvements" for raised medians, traffic signals with pedestrian signals, and speed-reducing measures.

85. In the FHWA Safety Report's own terms, the static W11-15 pedestrian and bicycle crossing signs at the Subject Intersection were a supplement to the marked crosswalk, not a substantial crossing improvement. At all times before the Collision, the marked crosswalk at the Subject Intersection was a marked crosswalk "alone" within the meaning of Tucson Policy 7.44, the FHWA Safety Report, and Table 11.

86. The Pima Association of Governments Regional Pedestrian Plan, adopted in December 2014 (the "PAG Plan"), states that "marking a crosswalk, without other controls or measures, does not improve pedestrian safety" and that "in some circumstances, marked crosswalks can actually result in less safe crossing conditions."

87. The PAG Plan states that on "roadways with over 12,000 ADT . . . marked crosswalks with no other safety treatments are less safe than unmarked crosswalks."

88. The PAG Plan identifies RRFBs as a countermeasure that improved driver stopping compliance at crosswalks in the range of 44 to 77 percent.

89. At all relevant times, the City had the financial ability to install a commercially available solar-powered RRFB system with push-button activation, a 30-

inch pedestrian crosswalk sign, and an arrow plaque; cost was not an obstacle.

90. In *Campion v. City of Tucson*, 256 Ariz. 256 (App. 2023), arising from a 2017 collision in which a mother and her son were struck and killed while using a Tucson crosswalk, the Arizona Court of Appeals discussed Tucson Policy 7.44, noted that the Policy calls for removal of non-compliant crosswalks upon resurfacing, observed that the study underlying the Policy confirmed the crosswalk at issue "posed an increased safety risk," and recorded the testimony of a City witness confirming the City's "practice of remov[ing] non-candidate locations consistent with resurfacing." *Id*. ¶¶ 29–30.

91. The *Campion* litigation gave the City additional notice, before October 30, 2025, of the danger that uncontrolled marked crosswalks that do not comply with Tucson Policy 7.44 pose to pedestrians.

C. The City Had Actual, Specific, Written Notice That the Subject Intersection Was Dangerous

92. In 2021, the City issued *Move Tucson*, its transportation master plan, which states that the City "must prioritize safety in the transportation network, with a focus on increasing safe travel opportunities for people bicycling and walking."

93. *Move Tucson* identifies "localized projects to improve safety, including crossing improvements," and specifically identifies HAWK signals as a tool to accomplish that improvement.

94. *Move Tucson* acknowledges a significant safety gap for pedestrian travel and identifies roadways that lack safe crossing opportunities including the Subject Intersection (Euclid Avenue and 2nd Street).

95. The City maintains a HAWK request and prioritization system through which it evaluates and ranks candidate locations for HAWK signals.

96. Before November 2022, the City had evaluated the Subject Intersection through its HAWK prioritization system and had ranked it No. 12 on the City's HAWK priority list.

97. On October 26, 2022, [redacted] a University of Arizona Human

Resources employee whose office is located at the corner of Euclid Avenue and Second Street and who regularly used the crossings at Euclid/First and Euclid/Second, contacted the City in writing with pedestrian-safety concerns about those crossings.

98. On October 27, 2022, Helen Wheeler of the Director's Office of the City's Department of Transportation and Mobility forwarded [redacted] written warning of danger presented by the Subject Intersection for formal logging and review.

99. On November 1, 2022, the City confirmed in writing that [redacted] concern had been received, entered, and assigned Case Number 60257.

100. On November 14, 2022, Janet Kerns, the City's Traffic Engineering Technician Supervisor, acknowledged [redacted] safety concern and confirmed that the Subject Intersection had already been evaluated for its danger and ranked No. 12 on the City's HAWK priority list, although at that time no funding had been designated for a HAWK crossing at the location.

101. [redacted] reported to the City in writing inadequate pedestrian lighting at all four corners of the Subject Intersection, especially at night, making it difficult to see pedestrians.

102. [redacted] reported specifically to the City in writing that traffic in either of the two lanes of Euclid Avenue tended to continue through the crossing at the Subject Intersection even when one vehicle had stopped for a pedestrian.

103. [redacted] reported to the City the absence of traffic-calming measures at the Subject Intersection comparable to nearby crossings.

104. [redacted] reported to the City the absence of signalized protection at the Subject Intersection comparable to nearby crossings.

105. [redacted] offered to meet City representatives at the Subject Intersection to show them the conditions firsthand.

106. City representatives did not meet with [redacted] at the Subject Intersection.

107. After the October 30, 2025 Collision, [redacted] renewed the same safety

concerns to the City in writing, referenced her 2022 communications and Case Number 60257, and specifically stated that the hazards she had reported in 2022 had not been corrected.

108. In 2023, the City received additional Tucson citizen requests that the static pedestrian crossing signs at the Subject Intersection be converted to a flashing pedestrian crossing sign, or that a HAWK signal be installed, specifically because motorists were not stopping for pedestrians in the crosswalk.

109. In June 2023, the City responded that the Subject Intersection was on the HAWK list, had been ranked, and had been approved through the City's American Rescue Plan Act ("ARPA") proposal, but that no installation date was available.

110. On October 30, 2024, one year to the day before the Collision, a caller specifically reported to the City that the light on the street pole at the southwest corner of the Subject Intersection was broken.

111. On June 5, 2025, less than five months before the Collision, a constituent request (City Cartegraph Request ID 105678) asked whether a HAWK signal could be installed at the Subject Intersection because "there have been accidents," there was "a bunch of traffic," and it was hard for students to reach their residences.

112. In response to Request ID 105678, the City noted internally that the area was "in the design phase."

113. Before the Collision, the City knew that citizens and constituents had complained about the danger the Subject Intersection presented to pedestrians.

114. Before the Collision, the City knew that motorists were not stopping for pedestrians in the crosswalk at the Subject Intersection.

115. Before the Collision, the City knew that prior collisions between vehicles and pedestrians had occurred at the Subject Intersection.

116. Before the Collision, the City knew the Subject Intersection was a hot spot for vehicle crashes and near misses.

117. Shortly after the Collision, Tucson Police Lieutenant Jack Julsing wrote to City personnel that the Subject Intersection had historically been "a hot spot of car crashes and many near misses" going back to when he was a University of Arizona student more than fifteen years earlier, noted the shared concern of University of Arizona Police Department Deputy Chief Corey Doggett, and asked whether a HAWK signal or similar protection could be installed there.

From: Jack Julsing <Jack.Julsing@tucsonaz.gov>
Sent: Sunday, November 2, 2025 4:37 PM
To: Blake Olofson <Blake.Olofson@tucsonaz.gov>; Doggett, Corey - (cdoggett) <cdoggett@arizona.edu>

25, 10:28 AM Inbox - Blake Olofson - Outlook

Cc: Lauren Pettey <Lauren.Pettey@tucsonaz.gov>
Subject: Fw: Media Release: Fatal Pedestrian Collision Hit and Run Update - N. Euclid Ave. and E. 2nd St.

Hello Blake!

Just wanted to see if this intersection is on your radar as a problem area.

I included UAPD Deputy Chief Corey Doggett on the email as well since we were both concerned about the recent triple death car accident here as well as the UAPD officer involved accident that severely injured him a couple weeks ago.

Historically, this location has been a hot spot of car crashes and many near misses going back to when I was a student at U of A (over 15 years ago)

We were wondering if a HAWK Light or something similar could be placed here. There is one a few blocks further south, I assume for similar reasons, but this location seems to be in great need.

I know these installations are expensive and require a lot of discussion. I just wanted to look at getting the ball rolling on a potential fix for the issues we are seeing here.

Let me know if there is an opportunity for a meeting on this. I am sure many other stakeholders would wish for something like this to come to fruition. Thank you and take care!

Best,

LT Jack Julsing, CPM

118. The City's own work-order records for the Subject Intersection show that on June 6, 2019, the City re-painted the high-visibility crosswalks and stop bars.

119. The City's records show that on November 6, 2021, the signs at the Subject Intersection were destroyed in a motor vehicle collision, requiring City crews to cut through the existing telespar supports and install new ones.

120. The City's records show that on February 10, 2022, the pedestrian crossing

sign at the Subject Intersection was down, requiring a new cement base and supports, with work continuing through February 16, 2022.

121. The City's records show that on September 14, 2022, the City again replaced the pedestrian and bicycle crossing signs at the Subject Intersection, including telespar stubs and sleeves.

122. The City's records show that on April 25, 2023, the City re-painted the high-visibility crosswalk markings at the Subject Intersection.

123. The City's records show that on November 25, 2023, the pedestrian and bicycle crossing signs at the Subject Intersection were down again, with replacement work carrying into January 2024.

124. The City's records show that on January 16, 2025, the pedestrian and bicycle crossing sign at the Subject Intersection was damaged and down as a result of another motor vehicle collision, requiring new telespar supports and new signs.

125. The City's records show that on June 5, 2025, the City re-painted the two high-visibility crosswalk and stop-bar markings at the Subject Intersection.

126. Section 1A.05 of the 2009 MUTCD provides, as guidance, that "[f]unctional maintenance of traffic control devices should be used to determine if certain devices need to be changed to meet current traffic conditions," and the FHWA Safety Report states that its guidelines are intended to assist in deciding "where an existing marked crosswalk, by itself, is acceptable" and "where an existing marked crosswalk should be supplemented with additional improvements."

127. Each repainting and each sign replacement at the Subject Intersection was therefore an occasion for the City to examine the crosswalk configuration against its own adopted policy and standards. At each, the City re-established the existing configuration rather than supplementing it, and restored nothing it had lost: the City did not replace the LED-enhanced northbound advance warning sign that had been gone since February 2021 and added no warning sign in advance of the crosswalk on either approach.

128. The April 25, 2023 repainting came after the City had evaluated the Subject

Intersection, ranked it on its HAWK priority list, told a constituent in writing in November 2022 that it had been ranked, and included it on the City's ARPA HAWK list.

129. The June 5, 2025 repainting came eleven weeks after the City's engineer of record sealed, on March 19, 2025, the plans for the signalized crossing designed to replace the very configuration the City was repainting.

130. Before the Collision, the City knew that vehicles had struck and damaged the pedestrian-crossing signage at the Subject Intersection on more than one occasion.

131. Each repair of vehicle-damaged signage at the Subject Intersection gave the City notice that vehicles were leaving the travel lanes and striking fixed objects at the pedestrian crossing.

132. On information and belief, for years before the Collision, Tucson has been identified in national pedestrian-safety reports and news coverage as one of the most dangerous cities in the United States for pedestrians, and the City was aware of that fact.

133. Before the Collision, the City knew the Subject Intersection presented a safety hazard to pedestrians.

134. Before the Collision, the City knew the Subject Intersection was dangerous.

135. Before the Collision, the City acknowledged, in its own records, that the Subject Intersection required a signalized pedestrian crossing.

D. The City Determined the Subject Intersection was Unreasonably Dangerous, Selected, Designed, and Funded a Signalized Crossing, Then Did Not Build It

136. As part of its evaluation of projects that could be funded with ARPA money, the City prepared a Proposed HAWK List identifying HAWK project locations.

137. The Subject Intersection was included on the City's Proposed HAWK List and was the highest "HAWK Ranked" location on that list.

138. On August 21, 2023, the City held a design kick-off meeting for a signalized crossing at the Subject Intersection, at which participants reviewed a video clip from the Subject Intersection and discussed signal options.

139. The City retained the engineering firm Psomas to design the signalized

crossing at the Subject Intersection.

140. According to the City, between August 2023 and February 2025, the City, Psomas, the Complete Streets Coordinating Council, and other participants held 24 separate meetings concerning the HAWK crossing projects, including the Subject Intersection.

141. In October 2023, Blake Olofson of the City's traffic-maintenance function supported a concept design for the Subject Intersection with two crossings of Euclid Avenue, one on each side of Second Street, similar to the existing marked crosswalks, with blank-out signs to prohibit turning movements during signal actuation and a design allowing only westbound Second Street right turns onto Euclid Avenue.

142. In November 2023, the City's project meeting notes reflect discussion of adding a median on Euclid Avenue and extending the existing median on the south Euclid approach to Second Street to encourage compliance with left-turn restrictions.

143. By spring 2024, the City's ARPA Project Framework recorded for the Subject Intersection: "90% of plans received. Would be difficult to meet ARPA obligation deadline of 12/30/24 at this point. Would still likely meet ARPA expenditure deadline of 12/20/26."

144. The City's ARPA Project Framework excluded the Subject Intersection from the "Priority Package 1" list of HAWK intersections, although the Subject Intersection was the highest-ranked HAWK location the City had included in its proposals.

145. Notes by Randy Cheney of Psomas from the May 2024 project meeting reflect that the Subject Intersection was identified as a project "to be put on hold."

146. By August 2024, the Subject Intersection was no longer on "hold" and was included in the City's "Group 2" HAWK projects.

147. By September 2024, the City had secured funding for the Group 2 projects, "allowing for progression of Group 2 construction."

148. The Subject Intersection was included in the City's August 26, 2024 Approved Proposition 411 Street Safety Improvement Plan as one of a "Package of six

HAWK crossings, previously designed using COVID relief funds," described as already "planned" and in the "early" construction phase.

149. The City's Proposition 411 Street Safety Improvement Plan designated the package containing the Subject Intersection a "non-locational" *Move Tucson* priority, rather than a Tier 1 or Tier 2 priority.

150. According to the City, the HAWK crossing projects, including the Subject Intersection, were initially to be funded with federal ARPA money, and funding was later changed to money from voter-approved Proposition 411.

151. Once voters passed Proposition 411, the Tucson Mayor and City Council formally enacted Ordinance No. 11904 on May 25, 2022, amending the City Tax Code to extend the additional 0.5% sales tax, which had already been in continuous collection since 2017 under the prior measure, Proposition 101, for another 10 years, through June 30, 2032.

152. Proposition 411 was an extension rather than a brand-new tax, so there was no gap or "start-up" delay in available funding for work at the Subject Intersection.

153. Before October 30, 2025, the City had sufficient funding to construct the signalized crossing it had designed for the Subject Intersection.

154. Before October 30, 2025, the City had sufficient resources to construct the signalized crossing it had designed for the Subject Intersection.

155. Before October 30, 2025, the City had signed and sealed plans—sealed by the City's engineer of record on March 19, 2025—for a signalized bicycle-and-pedestrian crossing at the Subject Intersection with turn restrictions and separated crossing paths.

156. The City's November 18, 2025 memorandum to the Mayor and Council states that design for the group of six signalized crossings began in 2023, that DTM finalized the design for the group, and that the Subject Intersection was slated for a Modified Toucan signalized pedestrian and bicyclist crossing.

157. The City did not begin construction of the signalized crossing at the Subject Intersection at any time before October 30, 2025.

158. Before October 30, 2025, the City had sufficient funding and resources to install interim protective measures at the Subject Intersection, including flashing amber beacons or an RRFB system.

159. The City did not install a HAWK signal at the Subject Intersection at any time before October 30, 2025.

160. The City did not install a Toucan crossing at the Subject Intersection at any time before October 30, 2025.

161. The City did not install a BikeHAWK crossing at the Subject Intersection at any time before October 30, 2025.

162. The City did not install a Rectangular Rapid Flashing Beacon ("RRFB") at the Subject Intersection at any time before October 30, 2025.

163. The City did not install a flashing amber beacon at the Subject Intersection at any time before October 30, 2025.

164. The City did not install a raised median at the Subject Intersection at any time before October 30, 2025.

165. The City did not install enhanced lighting at the Subject Intersection at any time before October 30, 2025.

166. The City did not install any speed-reduction measure at the Subject Intersection at any time before October 30, 2025.

167. The City did not install any interim protective treatment at the Subject Intersection at any time before October 30, 2025.

168. The City did not install any permanent protective treatment at the Subject Intersection at any time before October 30, 2025.

169. Between 2019 and June 2025, while the signalized remedy remained unbuilt, the City repeatedly re-painted the high-visibility crosswalk markings and repeatedly replaced the pedestrian and bicycle crossing signs at the Subject Intersection.

170. Each time the City re-painted the crosswalk and replaced the signs at the Subject Intersection, the City kept the uncontrolled marked-crosswalk configuration in

place.

171. The City's repainting and re-signing of the crosswalk invited pedestrians to cross Euclid Avenue at the Subject Intersection even though the City was fully aware that its own adopted standards unequivocally stated that a marked crosswalk alone at such a location foreseeably increased pedestrian crash risk.

172. The City did not act in response to its own acknowledgment that the Subject Intersection was dangerous to pedestrians.

E. The October 30, 2025 Collision

173. At approximately 11:00 p.m. on October 30, 2025, Sophia Troetel, Josiah Santos, and Katya Castillo-Mendoza were lawfully crossing North Euclid Avenue eastbound within the marked crosswalk on the north side of East Second Street, on the west side of the Main Gate Garage, immediately adjacent to the University of Arizona campus.

174. At that time, Louis Artal was operating the Porsche traveling northbound on Euclid Avenue toward the Subject Intersection.

175. At that time, on information and belief, Louis Artal was driving the Porsche at a speed exceeding the posted 30-mile-per-hour speed limit.

176. At that time, on information and belief, Louis Artal was impaired by voluntary alcohol consumption at the time of the Collision.

177. On information and belief, toxicology testing performed after the Collision showed that Louis Artal's blood-alcohol concentration exceeded 0.08.

178. At all relevant times, Sophia, Josiah, and Katya were lawfully walking within the crosswalk at the Subject Intersection.

179. At all relevant times, Sophia, Josiah, and Katya had the right-of-way within the marked crosswalk. *See* A.R.S. § 28-792(A).

180. Louis Artal failed to yield the right-of-way to Sophia, Josiah, and Katya while they were lawfully within the marked crosswalk.

181. Louis Artal carelessly, recklessly, unlawfully, and negligently struck

Sophia, Josiah, and Katya while operating the Porsche.

182. As a direct result of the impact with the Porsche within the Subject Intersection, Sophia, Josiah, and Katya suffered fatal injuries.

183. As a proximate result of the impact with the Porsche within the Subject Intersection, Sophia, Josiah, and Katya suffered fatal injuries.

184. Louis Artal did not stop at the scene. He drove away, leaving Sophia, Josiah, and Katya in the roadway, and went to his nearby apartment.

185. Louis Artal then parked the Porsche in the garage at the apartment and telephoned his father.

186. University of Arizona Police Department ("UAPD") officers responded to the scene under UAPD Incident Number 2510300006.

187. Officer Michael Guthrie (#U2009), the primary reporting officer, arrived to find Sophia lying in the roadway with severe injuries to her legs, right arm, and head, with a passerby already performing CPR. Officer Guthrie took over CPR.

188. Josiah and Katya were located in the roadway to the south, also receiving CPR from bystanders.

189. Despite the life-saving efforts of bystanders, UAPD officers, and Tucson Fire Department personnel, Sophia was pronounced deceased at approximately 11:07 p.m. and Josiah was pronounced deceased at approximately 11:14 p.m. on October 30, 2025.

[redacted]

191. Sophia's death certificate (State File Number 102-2025-059141) lists the immediate cause of death as blunt force injuries.

192. Katya was transported from the scene with life-threatening injuries, was

placed in a medically induced coma, and received emergency and hospital treatment for approximately 23 hours.

193. Katya was pronounced deceased at approximately 10:00 p.m. on October 31, 2025. Her death was confirmed to UAPD on November 1, 2025.

194. The vehicle that struck Sophia, Josiah, and Katya was identified through the Flock Safety license-plate-reader system. UAPD Detective John Guetersloh (#U1809) reviewed footage from the East First Street cameras and identified a single black convertible captured at 10:57:06 p.m. bearing California license plate "ARTAL."

195. Louis Artal subsequently turned himself in at the Tucson Police Department Main Station, 270 South Stone Avenue, stating that he had been involved in a collision in which he struck three people.

196. Louis Artal told the Tucson Police Department that there were "absolutely no streetlights," that he did not see the pedestrians until he hit them, and that he was "completely sober."

197. The Tucson Police Department arrested Louis Artal and eventually charged him with three counts of manslaughter and one count of leaving the scene of an accident involving death (TPD Case No. P2510300215).

198. On information and belief, the Tucson Police Department conducted a criminal and collision investigation of the Collision, including toxicology testing of Louis

Artal, and the criminal prosecution of Louis Artal has been assigned to the Maricopa County Attorney's Office.

199. In a filing in this Court dated August 12, 2026 in Case No. C20259071, the City described the Collision as one in which "an intoxicated, speeding college student struck and killed three individuals while in a crosswalk at North Euclid Ave. and East 2nd St. near the University of Arizona campus."

200. The Main Gate Garage security cameras, which covered portions of East First Street and East Second Street, were not functioning at the time of the Collision. UAPD dispatch confirmed that the cameras had stopped working at approximately 7:00 p.m. that evening, and a technician for the camera vendor later confirmed that no footage was recorded.

F. The City's Post-Collision Response

201. On Friday, October 31, 2025, the day after the Collision, Andy Bemis, Deputy Director of DTM, requested a status update on the BikeHAWK design for the Subject Intersection and noted that the right-turn-only signs for eastbound Second Street approaching Euclid Avenue were missing. He requested a review of all signage and striping to identify deficiencies.

202. On the night of the Collision, required right-turn-only signage for eastbound Second Street approaching Euclid Avenue was missing from the Subject Intersection.

203. On November 3, 2025, Blake Olofson of the City wrote that their traffic engineers were field-reviewing the Subject Intersection and identified possible interim mitigation: "Refresh all signs and markings," "Inspect all street lighting in vicinity for functionality," and "Consider flashing amber beacons."

204. In the same November 3, 2025 communication, Mr. Olofson wrote: "I think we can get the interim items done by early next week if the sign and paint shop can expedite."

205. Four days later, Diane Lloyd of the City wrote that, at Gregory Orsini's request, she had "entered tasks for three Flashing Amber Beacons to be installed at N

Euclid Ave and E 2nd Street."

206. In the same period, the City ordered an additional W11-15 pedestrian-crossing sign with a W16-7P arrow plaque for the north-crosswalk sign assembly and installed 36-inch W11-15 advance warning signs on both Euclid Avenue approaches, the advance signage that had been missing from the northbound approach since February 2021. None of those measures was in place on October 30, 2025.

207. On November 3, 2025, Sam Credio of DTM requested information from Rick Harris and others, noting that the City Manager's office needed to respond to public inquiries about the Collision, and asked about the potential to expedite construction because the community was eager to see the improvements made as quickly as possible.

208. On November 4, 2025, Gregory Orsini of DTM wrote to Ms. Lawless that a signalized bicycle-and-pedestrian crossing would be constructed at the Subject Intersection in the near term; that the improvements had been in the planning phase since 2023; that the project plans were complete; that construction should begin that calendar year with expected completion in spring 2026; and that interim improvements, including refreshing signs and striping, inspecting street lighting, and considering flashing amber beacons, would begin immediately.

209. On December 2, 2025, Mr. Olofson proposed that, as part of the work at the Subject Intersection, the City physically remove the existing uncontrolled marked crosswalk at the adjacent Euclid/First intersection once the new signal was activated, by grinding off and removing the crosswalk markings, removing the STOP FOR PEDS signs, and installing NO PEDS, USE CROSSWALK signs directing pedestrians to the new signal, at an estimated cost of $5,000.

210. On November 2, 2025, a vigil for Sophia, Josiah, and Katya drew nearly 1,000 people, a large percentage of whom walked to the Subject Intersection for a moment of silence.

211. Each interim measure the City identified and began implementing in the days after the Collision was feasible to the City before October 30, 2025.

212. Each interim measure the City identified and began implementing in the days after the Collision was affordable to the City before October 30, 2025.

213. Each interim measure the City identified and began implementing in the days after the Collision was available to the City before October 30, 2025.

214. The construction the City committed to complete by spring 2026 after the Collision could have been completed before October 30, 2025.

215. The construction the City committed to complete by spring 2026 after the Collision could have been completed before October 30, 2025 using the funded, finalized design the City already possessed.

G. Sophia, Josiah, and Katya

216. Sophia Akimi Troetel was 21 years old. She was born October 12, 2004, in New York, New York.

217. Sophia maintained a perfect 4.0 grade point average while pursuing a double major in Spanish and Psychology at the University of Arizona, earned Dean's List with Distinction, worked as a student employee, and was on track to graduate in May 2026.

218. Sophia served as general manager of KAMP Student Radio and volunteered with the Pima County Attorney's Office victim services division. Her Spanish department advisor said of her: "Sophia treats every soul with respect, compassion, and care. To know her is to be changed by her." The Sophia Troetel First Responder Memorial Scholarship was established in her honor in spring 2026.

219. Sophia is survived by her parents, Joshua and Shannon Troetel, and her sister, Anna.

220. Josiah Patrick Santos was 22 years old. He was the 2022 salutatorian of Flowing Wells High School and a University of Arizona senior majoring in Theatre with a minor in Japanese, carrying a 3.7 grade point average.

221. Josiah was a multi-instrumentalist and vocalist who performed tenor voice, piano, flute, and saxophone. He wrote three plays at the University, served as music director of the a cappella group Meow or Never, and performed in Tucson community

theatre productions including *Anastasia*, *Catch Me If You Can*, *The Best Little Whorehouse in Texas*, and *Fiddler on the Roof*. In September 2025, he was cast as Specs in Arts Express Theatre's *Newsies*.

222. Josiah planned to pursue a Ph.D. and a career on Broadway while supporting himself as a server at the Westward Look Wyndham Resort & Spa. Arts Express Theatre established the Josiah Santos Memorial Education Fund in his honor.

223. Josiah is survived by his mother, Andrea "Hope" Santos, his father, Leo Santos, Jr., and his siblings Leo James, Sarah, Mathia, Rey, and Isaac.

224. Josiah and Sophia were in a committed relationship. Josiah had been ring shopping and planned to take Sophia to Prescott, where he was born, before asking her to marry him. His mother last saw him on October 15, 2025, celebrating Sophia's 21st birthday. His last message to her was "I love you."

225. Katya Rosaura Castillo-Mendoza was 21 years old. She was a University of Arizona student honored as the Eller College of Management's Top Multicultural Scholar of the Year, a member of the Real Estate Development Club, and she planned to become a real estate lawyer.

226. Katya was a valued member of the Latino Lawyers community at the University, known for bringing joy into every room, and consistently volunteered at Eller Make a Difference Day.

227. Katya was Sophia's roommate and close friend, one of the relationships that connected the three students well before the events of October 30, 2025.

228. Katya was set to graduate from the University of Arizona, Eller College of Management in May 2026 before her untimely death.

229. Katya is survived by her mother, Rosa Mendoza, her father, Carlos Castillo, her sisters, Allison Mendoza-Castillo and Laura Mendoza-Castillo, and her brother Alvaro Mendoza-Castillo.

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/ / /

COUNT ONE

Wrongful Death — Negligence and Gross Negligence;

Negligent Maintenance of Streetlighting and Signage

(Defendant City of Tucson)

230. Plaintiffs reincorporate and re-allege each preceding paragraph as if fully set forth herein.

231. At all relevant times, the City owed a duty to keep its streets, including the Subject Intersection and its crosswalks, reasonably safe for travel and use by the traveling public, including pedestrians such as Sophia, Josiah, and Katya. *See Coburn v. City of Tucson*, 143 Ariz. 50 (1984).

232. The City's duty does not turn on whether its conduct is characterized as posting signs, erecting traffic-control devices, maintaining streetlights or signage, or giving warnings; in every instance the duty is the same, to conform to the standard of reasonable conduct in light of the apparent risk. Whether the City's specific acts and omissions alleged herein satisfied that standard is a question of breach, not of duty. *See Coburn*, 143 Ariz. 50.

233. At all relevant times, the standard of care required the City to warn of and remedy dangerous conditions at the Subject Intersection of which it had actual or constructive notice.

234. The City breached its duty by failing to inspect, maintain, and repair the streetlighting at the Subject Intersection, despite [redacted] 2022 written complaint of inadequate pedestrian lighting at all four corners of the Subject Intersection and the October 30, 2024 report, made one year to the day before the Collision, that the light on the street pole at the southwest corner of the Subject Intersection was broken.

235. As [redacted] warned the City in writing in 2022, the inadequate lighting at the Subject Intersection made it difficult to see pedestrians, especially at night. After the Collision, Louis Artal told the Tucson Police Department that there were "absolutely no streetlights" and that he did not see the pedestrians until he hit them.

236. The City breached its duty by failing to inspect and maintain the signage at the Subject Intersection and to ensure that required signage was present and complete, as demonstrated by the required right-turn-only signage for eastbound Second Street approaching Euclid Avenue that was missing from the Subject Intersection on the night of the Collision, a deficiency the City's own Deputy Director of DTM identified the day after the Collision.

237. The City breached its duty by failing to replace the LED-enhanced W11-15 advance warning sign on the northbound approach to the Subject Intersection, an active warning device that had stood approximately 110 feet south of the north crosswalk since at least January 2008, that was fitted with a solar panel and border LEDs by June 2013, that was present in January 2021, and that was gone by February 2021. The City never replaced it, and from February 2021 until the Collision, northbound motorists received no advance warning of the crosswalk at all.

238. Louis Artal approached the Subject Intersection northbound, the approach from which the City had allowed the only advance warning of the crosswalk to disappear and had never restored it. Only after Sophia, Josiah, and Katya were killed did the City install 36-inch W11-15 advance warning signs on both Euclid Avenue approaches.

239. Each of the City's repeated sign replacements and repaintings at the Subject Intersection between 2019 and June 2025 was an occasion, consistent with the 2009 MUTCD's guidance that functional maintenance of traffic-control devices be used to determine whether devices need to be changed to meet current traffic conditions, to discover and correct the missing advance warning signage. The City discovered and corrected nothing.

240. The City breached its duty by failing to implement a reasonable program of inspection, maintenance, and repair for the streetlighting and signage at the Subject Intersection, despite its own work-order records showing that the pedestrian and bicycle crossing signs at the Subject Intersection were destroyed, damaged, or down in November 2021, February 2022, September 2022, November 2023, and January 2025, which placed

the City on notice that the signage at this crossing required vigilant inspection and prompt repair.

241. The maintenance measures the City identified in the days after the Collision, to "Refresh all signs and markings" and "Inspect all street lighting in vicinity for functionality," were feasible, affordable, and available to the City at all times before October 30, 2025.

242. The City had actual notice of the inadequate and broken lighting and of the missing and damaged signage at the Subject Intersection before the Collision, including through [redacted] 2022 written complaints logged as Case Number 60257, the October 30, 2024 report that the streetlight at the southwest corner of the Subject Intersection was broken, and the City's own work-order records. In the alternative, the City had constructive notice of those conditions because they existed for such a length of time that the City, in the exercise of reasonable care, should have discovered and remedied them.

243. The negligent or criminal conduct of Louis Artal did not supersede the City's liability on this Count, because speeding, inattentive, and impaired drivers were a foreseeable and documented hazard at the Subject Intersection, and functioning streetlighting and complete signage exist to protect pedestrians from precisely such drivers by making pedestrians conspicuous and guiding driver behavior.

244. The City's failure to inspect, maintain, and repair the streetlighting and signage at the Subject Intersection was a direct, proximate, concurrent, and independent cause of the deaths of Sophia, Josiah, and Katya and of the damages of their statutory beneficiaries and Estates.

245. The City's failure, for years and in the face of specific written complaints, to inspect, maintain, and repair the lighting and signage at one of the most heavily trafficked pedestrian crossings in Tucson was undertaken with reckless indifference to, and conscious disregard of, an unjustifiably substantial risk of significant harm to pedestrians, and constitutes gross negligence.

246. The acts and omissions alleged in this Count were operational, day-to-day inspection, maintenance, and repair activities. They were not determinations of fundamental governmental policy and are not subject to absolute immunity under A.R.S. § 12-820.01. *See Kohl v. City of Phoenix*, 215 Ariz. 291, 295, ¶ 19 (2007).

247. A.R.S. § 12-820.03 provides no defense to this Count. By its terms, that statute supplies an affirmative defense only for an injury arising out of a plan or design. This Count does not arise out of any plan or design; it arises out of the City's operational failure to inspect, maintain, and repair existing streetlighting and signage. In any event, the City failed to provide adequate warning of the unreasonably dangerous condition.

248. Governmental liability is the rule in Arizona and immunity is the exception, and immunity provisions are construed narrowly. *See Garibay v. Johnson*, 257 Ariz. 118 (App. 2024).

COUNT TWO

Wrongful Death — Negligence and Gross Negligence; Negligent Design, Failure to Remedy a Known Dangerous Condition, and Failure to Implement Interim Protective Measures

(Defendant City of Tucson)

249. Plaintiffs reincorporate and re-allege each preceding paragraph as if fully set forth herein.

250. At all relevant times, the City owed a duty to keep its streets, including the Subject Intersection and its crosswalks, reasonably safe for travel and use by the traveling public. *See Coburn*, 143 Ariz. 50. The standard of reasonable conduct in light of the apparent risk required the City to remedy the dangerous condition of the Subject Intersection, of which it had actual and specific written notice.

251. The City breached its duty by maintaining an unsignalized, uncontrolled marked crosswalk across a multi-lane arterial roadway carrying more than 15,000 vehicles per day, and approximately 28,000 vehicles per day by the City's own November 2023 count, in one of the most heavily trafficked pedestrian areas in Tucson, without a traffic

signal, pedestrian-activated signal, active warning device, raised median or pedestrian refuge island at the crosswalk, advance yield lines or Yield Here To Pedestrians signs, or adequate lighting.

252. The City breached its duty by failing to construct, within a reasonable time, the signalized bicycle-and-pedestrian crossing, turn restrictions, and separated crossing paths that it had selected, designed, sealed, and funded for the Subject Intersection.

253. The City breached its duty by not implementing interim safety measures, such as flashing amber beacons, an RRFB, enhanced signage, enhanced lighting, or temporary speed-reduction measures, at the known high-risk intersection while the permanent signalization project remained unbuilt.

254. The City breached its duty by installing and maintaining the uncontrolled marked-crosswalk configuration without any engineering study supporting it, in violation of Tucson Policy 7.44.

255. The City breached its duty by failing to comply with its own Tucson Policy 7.44, the FHWA Safety Report guidance that Tucson Policy 7.44 adopts, the Manual on Uniform Traffic Control Devices, and generally accepted traffic-engineering standards, which called for engineering evaluation and substantial crossing improvements, rather than a marked crosswalk alone, at a multi-lane arterial location without a raised median or pedestrian refuge island at the crossing carrying more than 15,000 vehicles per day.

256. Removal of the marked crosswalk was not an available answer under the City's own policy: pedestrian use at the Subject Intersection was two to four times Tucson Policy 7.44's removal threshold. The only response the City's adopted standards permitted was to supplement the crossing with a substantial crossing improvement, a traffic signal with pedestrian signals, a raised median, speed-reducing measures, or a similar treatment. The City provided none of them.

257. The City had actual notice of the dangerous condition of the Subject Intersection for years before the Collision, including through Case Number 60257 and Ms. Lawless's 2022 communications; its own HAWK evaluation and No. 12 priority ranking

by November 2022; its placement of the Subject Intersection as the highest-ranked location on its Proposed HAWK List; the 2023 constituent requests; the June 5, 2025 request citing prior "accidents"; the repeated destruction of its own pedestrian-crossing signage by vehicles; its August 2023 design kick-off and spring 2024 90%-complete plans; and its own adopted Tucson Policy 7.44 and the FHWA Safety Report.

258. In the alternative, the City had constructive notice of the dangerous condition of the Subject Intersection because the condition existed for such a length of time and with such notoriety that the City, in the exercise of reasonable care, should have discovered and remedied it.

259. Nighttime pedestrian collisions at an uncontrolled, inadequately lit, paint-only crossing of a multi-lane arterial adjacent to a university entertainment district were a foreseeable consequence of the City's conduct.

260. Speeding, inattentive, and impaired drivers were a foreseeable and documented hazard at the Subject Intersection, and protecting pedestrians from such drivers was a purpose of the signalized crossing the City designed and did not build.

261. The negligent or criminal conduct of Louis Artal did not supersede the City's liability, because that conduct was foreseeable and was among the hazards that made the Subject Intersection unreasonably dangerous.

262. A signalized crossing, active warning beacons, adequate lighting, a median refuge, or other meaningful interim measures at the Subject Intersection would have materially reduced or eliminated the risk of the Collision by stopping, slowing, or warning approaching traffic, controlling pedestrian movements, and increasing conspicuity and driver compliance.

263. The City's acts and omissions were a direct, proximate, concurrent, and independent cause of the deaths of Sophia, Josiah, and Katya and of the damages of their statutory beneficiaries and Estates.

264. The City's conduct in maintaining a known dangerous crossing for years after ranking it, designing its remedy, and funding its remedy, while its own adopted

policy stated that its paint-and-signs approach could increase pedestrian crash risk, was undertaken with reckless indifference to, and conscious disregard of, an unjustifiably substantial risk of significant harm to pedestrians, and constitutes gross negligence.

265. The acts and omissions alleged herein were operational decisions concerning the day-to-day implementation of the City's existing transportation-safety policies, plans, and projects, involving the exercise of professional and engineering judgment. They were not determinations of fundamental governmental policy and are not subject to absolute immunity under A.R.S. § 12-820.01. *See Kohl v. City of Phoenix*, 215 Ariz. 291, 295, ¶ 19 (2007).

266. A.R.S. § 12-820.03 does not apply because the uncontrolled marked-crosswalk configuration at the Subject Intersection was not prepared or maintained in conformance with generally accepted engineering or design standards, as shown by Tucson Policy 7.44, the FHWA Safety Report, the MUTCD, the City's inability to produce any engineering study, the missing signage, and the City's own decision to design a signalized replacement, and because the City failed to provide adequate warning of the unreasonably dangerous condition.

267. A.R.S. § 12-820.03 is an affirmative defense on which the City bears the burden of proof. Even where its elements are established, the defense reaches only an injury arising out of a plan or design; it provides no defense to the negligent-maintenance and failure-to-warn claims alleged in Counts One and Three of this Complaint.

268. Governmental liability is the rule in Arizona and immunity is the exception, and immunity provisions are construed narrowly. *See Garibay v. Johnson*, 257 Ariz. 118 (App. 2024).

COUNT THREE

Wrongful Death — Negligence and Gross Negligence;

Negligent Failure to Warn

(Defendant City of Tucson)

269. Plaintiffs reincorporate and re-allege each preceding paragraph as if fully

set forth herein.

270. At all relevant times, the City owed a duty to keep its streets, including the Subject Intersection and its crosswalks, reasonably safe for travel and use by the traveling public. *See Coburn*, 143 Ariz. 50. Where a street presents a dangerous condition of which a public entity has notice, the standard of reasonable conduct in light of the apparent risk requires, at a minimum, that the entity warn of the danger.

271. The City breached its duty by failing to give any warning, to pedestrians or to motorists, of the dangerous condition of the Subject Intersection, despite its knowledge that, under the City's own adopted standards, the uncontrolled marked crosswalk alone was insufficient and associated with an increased pedestrian crash risk; that motorists were not stopping for pedestrians in the crosswalk; that prior collisions between vehicles and pedestrians had occurred at the Subject Intersection; and that the Subject Intersection required a signalized pedestrian crossing.

272. Rather than warn, the City affirmatively conveyed that the Subject Intersection was reasonably safe to cross. Between 2019 and June 2025, the City repeatedly re-painted the high-visibility crosswalk markings and repeatedly replaced the pedestrian-crossing signage at the Subject Intersection, thereby inviting pedestrians into the crossing, without providing the signalization or active warning necessary to protect them and without disclosing the danger the City had itself documented, ranked No. 12 on its HAWK priority list, funded, and designed a remedy for.

273. A marked, high-visibility crosswalk accompanied by pedestrian-crossing signs communicates to reasonable pedestrians that the crossing is a sanctioned and reasonably safe place to cross. Sophia, Josiah, and Katya were lawfully crossing within that marked crosswalk, with the right-of-way, when they were struck, and the City had given them no warning of the danger it knew the crossing presented.

274. Had the City given adequate warning of the unreasonably dangerous condition of the Subject Intersection, pedestrians, including Sophia, Josiah, and Katya, and approaching motorists could have taken suitable precautions. The City's failure to

warn was a direct, proximate, concurrent, and independent cause of the deaths of Sophia, Josiah, and Katya and of the damages of their statutory beneficiaries and Estates.

275. The negligent or criminal conduct of Louis Artal did not supersede the City's liability on this Count, because that conduct was foreseeable and was among the hazards of which the City failed to warn.

276. The City's years-long failure to give any warning of a danger it had documented, ranked, funded, and designed a remedy for, while repeatedly refreshing the very markings and signs that invited pedestrians into that danger, was undertaken with reckless indifference to, and conscious disregard of, an unjustifiably substantial risk of significant harm to pedestrians, and constitutes gross negligence.

277. The acts and omissions alleged in this Count were operational decisions concerning the day-to-day implementation of the City's existing transportation-safety policies, plans, and projects. They were not determinations of fundamental governmental policy and are not subject to absolute immunity under A.R.S. § 12-820.01. *See Kohl v. City of Phoenix*, 215 Ariz. 291, 295, ¶ 19 (2007).

278. A.R.S. § 12-820.03 provides no defense to this Count. The failure to warn alleged herein does not arise out of any plan or design, and the statute in any event affords no defense where, as here, the public entity failed to provide adequate warning of an unreasonably dangerous condition.

279. Governmental liability is the rule in Arizona and immunity is the exception, and immunity provisions are construed narrowly. *See Garibay v. Johnson*, 257 Ariz. 118 (App. 2024).

COUNT FOUR

Wrongful Death — Negligence, Negligence *Per Se*, and Gross Negligence

(Defendant Louis John Artal)

280. Plaintiffs reincorporate and re-allege each preceding paragraph as if fully set forth herein.

281. Louis Artal owed a duty of reasonable care to all persons on or near the

roadway, including pedestrians lawfully within marked crosswalks, to operate his vehicle safely, soberly, attentively, and at a lawful and prudent speed, and to yield the right-of-way to pedestrians in crosswalks.

282. Louis Artal breached that duty by operating the Porsche while impaired by alcohol.

283. Louis Artal breached that duty by driving the Porsche at a speed exceeding the posted 30-mile-per-hour limit and greater than was reasonable and prudent under the conditions.

284. Louis Artal breached that duty by failing to keep a proper lookout for pedestrians in the marked crosswalk while driving the Porsche.

285. Louis Artal breached that duty by failing to yield the right-of-way to Sophia, Josiah, and Katya while they were lawfully within the marked crosswalk.

286. Louis Artal breached that duty by leaving the scene in the Porsche without stopping, rendering aid, or summoning help.

287. Louis Artal's conduct violated Arizona statutes enacted to protect pedestrians and other users of the public roadways against the type of harm that occurred, including A.R.S. § 28-792 (right-of-way of pedestrians in crosswalks), A.R.S. § 28-701 (reasonable and prudent speed; posted speed limits), A.R.S. § 28-1381 (driving under the influence), and A.R.S. §§ 28-661 and 28-663 (duties to stop at, remain at, and render aid following an accident involving death or injury). These violations constitute negligence *per se*.

288. Louis Artal has been charged with three counts of manslaughter and one count of leaving the scene of an accident involving death (TPD Case No. P2510300215).

289. Louis Artal's conduct was a direct and proximate cause of the deaths of Sophia, Josiah, and Katya and of the damages of their statutory beneficiaries and Estates.

290. Louis Artal acted with an evil mind. He consciously pursued a course of conduct, driving while impaired and at excessive speed through a marked crosswalk in a university district at night and then leaving three dying people in the roadway, knowing

that it created a substantial risk of significant harm to others. Plaintiffs are entitled to punitive damages against Louis Artal in an amount sufficient to punish him and to deter others.

COUNT FIVE

Survival Action — A.R.S. § 14-3110

(All Defendants; Brought on Behalf of the Estates)

291. Plaintiffs reincorporate and re-allege each preceding paragraph as if fully set forth herein.

292. As a direct and proximate result of Defendants' conduct, the Estates of Sophia Akimi Troetel, Josiah Patrick Santos, and Katya Rosaura Castillo-Mendoza sustained damages recoverable under A.R.S. § 14-3110, including medical, hospital, and emergency-care expenses incurred between injury and death; funeral, burial, cremation, and related expenses; and property and other economic losses.

293. Katya's Estate incurred substantial medical expenses for the emergency and hospital treatment she received during the approximately 23 hours between the Collision and her death.

294. Plaintiffs bring these survival claims on behalf of the respective Estates and will, to the extent required, cause personal representatives to be appointed and this Complaint to be amended accordingly.

DAMAGES

295. Plaintiffs reincorporate and re-allege each preceding paragraph as if fully set forth herein.

296. As a direct and proximate result of Defendants' conduct, Plaintiffs, the statutory beneficiaries of Sophia, Josiah, and Katya, have suffered and will continue to suffer damages recoverable under A.R.S. §§ 12-611 through 12-613, including the loss of the love, affection, companionship, care, protection, guidance, comfort, society, and consortium of their children.

297. Plaintiffs have suffered and will continue to suffer grief, sorrow, anguish,

stress, shock, and mental suffering as a result of the deaths of their children.

298. Plaintiffs have lost the future earnings, services, and support of their children.

299. Plaintiffs have incurred and will incur funeral, burial, cremation, memorial, medical, and emergency-care expenses.

300. Each decedent was a young adult with decades of expected life ahead. Sophia was 21, Josiah was 22, and Katya was 21.

301. Sophia and Josiah died in the roadway minutes apart. Katya's family endured approximately 23 hours of hospital vigil before losing her. The sudden, violent, and preventable nature of these deaths has inflicted severe and ongoing emotional distress, grief, and loss of quality of life upon each Plaintiff.

302. Plaintiffs seek punitive damages against Louis Artal, and against XYZ Trusts 1–10 to the extent permitted by law, based on conduct evincing an evil mind and conscious disregard of a substantial risk of harm to others.

303. Plaintiffs do not seek punitive damages against the City. *See* A.R.S. § 12-820.04.

H. Concurrent Causation and Allocation of Fault

304. The negligence of the City and the tortious conduct of Louis Artal operated concurrently, and each was an independent proximate cause of the deaths of Sophia, Josiah, and Katya.

305. The City's own records documented, before the Collision, motorists "not stopping for pedestrians" at the Subject Intersection (2023), "accidents" and heavy traffic at the Subject Intersection (June 5, 2025), and vehicles repeatedly striking and destroying the crossing's own signage (November 2021 and January 2025).

306. Protecting pedestrians from speeding, non-yielding, and impaired drivers at night was a purpose of the signalized crossing the City designed and funded for the Subject Intersection and did not build.

307. To the extent fault is allocated under A.R.S. § 12-2506, Plaintiffs allege that

the City and Defendant Louis John Artal are each at fault.

DEMAND FOR JURY TRIAL

308. Plaintiffs demand a trial by jury on all issues pursuant to Rule 38, Arizona Rules of Civil Procedure.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that the Court enter judgment in their favor and against Defendants, jointly and severally, as follows:

A. For general, special, compensatory, and consequential damages for wrongful death under A.R.S. §§ 12-611 through 12-613, in amounts to be proven at trial, on behalf of each statutory beneficiary of Sophia Akimi Troetel, Josiah Patrick Santos, and Katya Rosaura Castillo-Mendoza;

B. For damages recoverable by the Estates of the decedents under A.R.S. § 14-3110, including medical, hospital, emergency-care, funeral, burial, and related expenses;

C. For punitive damages against Defendant Louis John Artal, and against Defendants XYZ Trusts 1–10 to the extent permitted by law, in an amount sufficient to punish and deter;

D. For taxable costs incurred herein;

E. For pre-judgment and post-judgment interest at the highest lawful rate; and

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

RESPECTFULLY SUBMITTED this 28th day of October, 2026.

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