

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

SUFFOLK SUPERIOR COURT
C.A. NO. 2584CV000

SCOTTSDALE INSURANCE COMPANY a/s/o
Julius Sokol and Fred Starikov as Trustees of
Jacob Wirth Nominee Trust

Plaintiff,

kg

v.

ANH DUY NGUYEN d/b/a American Builder Hardwood
Floor, NEXT GOAL CORPORATION, ERIC MANN
d/b/a E.B. Mann, and ALPHA FLOOR SANDING, INC.

Defendants.

COMPLAINT WITH JURY DEMAND

PARTIES

1. Plaintiff Scottsdale Insurance Company (“Scottsdale”) is a Nationwide insurance company licensed to do business in Massachusetts with a place of business in Columbus, Ohio.
2. Defendant Anh Duy Nguyen is a natural person doing business as American Builder Hardwood Floor, who resides at 11 Forest Avenue in Quincy, Massachusetts 02169.
3. Next Goal Corporation is a domestic profit corporation with a registered agent of Edna Eleuterio Gomes, 5 San Jose Terrace, Stoneham, MA 02180.
4. Defendant Eric Mann is a natural person doing business as E.B. Mann, who resides at 100 S. Meadow Road in Lancaster, MA 01523.
5. Alpha Floor Sanding, Inc. is a domestic profit corporation with a principal office located at 100 Business Street, Suite 169 in Hyde Park, MA 02136, an alternate address of 18 Granfield Avenue in Roslindale, MA 02131, and a registered agent of William Nguyen, 1476 River Street, #8, Hyde Park, MA 02136.

FACTS

6. On or about June 24, 2024 (the “date of loss”), a fire (the “fire”) occurred at 31-39 Stuart Street in Boston (the “property”).
7. Jacob Wirth Nominee Trust (the “trust”) was the owner of the property on the date of loss.
8. Julius Sokol and Fred Starikov were the trustees of the trust on the date of loss.
9. Scottsdale had issued a policy of property insurance covering the property, which was in effect on the date of loss.
10. Scottsdale has paid and is continuing to pay insurance proceeds in the millions of dollars to repair the damages caused by the above-referenced fire.
11. Alpha Floor Sanding, Inc. and Anh Duy Nguyen d/b/a American Builder Hardwood Floor were retained to perform hardwood floor refinishing at the property shortly prior to the date of loss.
12. Eric Mann d/b/a E.B. Mann was retained to perform wood refinishing of the bar at the property shortly prior to the date of loss.
13. Next Goal Corporation was retained perform wood refinishing of the wall paneling at the property shortly prior to the date of loss.
14. The fire was caused by a failure to dispose of or improper disposal of one or more flammable substance(s) used in the course of wood-refinishing and/or materials containing such substance(s).

COUNT I – NEGLIGENCE v. NGUYEN

15. The plaintiff incorporates by reference all of the preceding paragraphs of the complaint.
16. Anh Duy Nguyen d/b/a American Builder Hardwood Floor owed a duty of reasonable care to Jacob Wirth Nominee Trust in performing work at the property.
17. Anh Duy Nguyen d/b/a American Builder Hardwood Floor breached that duty of care by negligently failing to dispose of or improperly disposing of flammable substance(s) at the property so as to reasonably foreseeably cause the fire.

COUNT II – NEGLIGENCE v. NEXT GOAL CORPORATION

18. The plaintiff incorporates by reference all of the preceding paragraphs of the complaint.

19. Next Goal Corporation owed a duty of reasonable care to Jacob Wirth Nominee Trust in performing work at the property.
20. Next Goal Corporation breached that duty of care by negligently failing to dispose of or improperly disposing of flammable substance(s) at the property so as to reasonably foreseeably cause the fire.

COUNT III – NEGLIGENCE v. MANN

21. The plaintiff incorporates by reference all of the preceding paragraphs of the complaint.
22. Eric Mann d/b/a E.B. Mann owed a duty of reasonable care to Jacob Wirth Nominee Trust in performing work at the property.
23. Eric Mann d/b/a E.B. Mann breached that duty of care by negligently failing to dispose of or improperly disposing of flammable substance(s) at the property so as to reasonably foreseeably cause the fire.

COUNT IV – NEGLIGENCE v. ALPHA FLOOR SANDING, INC.

24. The plaintiff incorporates by reference all of the preceding paragraphs of the complaint.
25. Alpha Floor Sanding, Inc. owed a duty of reasonable care to Jacob Wirth Nominee Trust in performing work at the property.
26. Alpha Floor Sanding, Inc. breached that duty of care by negligently failing to dispose of or improperly disposing of flammable substance(s) at the property so as to reasonably foreseeably cause the fire.

DEMANDS FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that the Court:

- a) Enter judgment against the defendants, declaring that they are legally and financially responsible for the damages the plaintiff sustained or incurred;
- b) Award the plaintiff damages, interest, and costs; and
- c) Grant such further relief as the Court deems equitable, just, and proper.

JURY CLAIM

Plaintiff hereby claims a trial by jury on all issues so triable.

Plaintiff,
SCOTTSDALE INSURANCE COMPANY a/s/o
Julius Sokol and Fred Starikov as
Trustees of Jacob Wirth Nominee Trust
By its Attorney,

/s/ Corey T. Mastin_____

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