

2. Defendant, Paul Caneiro (“Paul”), is an individual with a last known address of 27 Tilton Drive, Ocean Township, New Jersey. Paul is presently incarcerated in the State of New Jersey and is awaiting trial for the crimes of murder of his niece, Sophia, her parents and her brother, as well as for related crimes of arson, various weapons charges and insurance fraud.

INTRODUCTION

3. This action is brought in accordance with the New Jersey Wrongful Death Act, N.J.S.A. 2A:31-1 *et seq.*, on behalf of SOPHIA CANEIRO, a deceased minor, by and through her Administrator Ad Prosequendum and Grandfather, VLASSI KARIDIS, for damages, including but not limited to mental anguish, emotional pain and suffering, loss of society and loss of companionship, relating to the murder of his granddaughter, Sophia.

4. In the early morning hours of November 20, 2018, Sophia was murdered, along with both of her parents and her brother, at their home in Colts Neck, New Jersey.

5. Within days of the tragedy, Paul Caneiro, was charged by the Monmouth County Prosecutor with the murders of Sophia and her family.

6. Paul remains incarcerated in the State of New Jersey and is awaiting trial, which has been delayed indefinitely because of the COVID-19 pandemic.

7. Because, as demonstrated below, Sophia survived her parents, she inherited their estates and died intestate, passing the estates in accordance with New Jersey intestacy laws to her surviving grandparents, including Vlassis, in equal shares.

8. Vlassis has standing to assert the wrongful death claim of Sophia against Paul.

BACKGROUND ALLEGATIONS

A. The Karidis Family

9. Bette and Vlassis were married in 1968 had two daughters, Bonnie on April 28, 1971 and Jennifer on May 14, 1973.

10. Jennifer graduated from the University of Albany in 1994 and worked most recently as an Event Planner with Citibank.

B. The Caneiro Family

11. Cesar and his wife Sherri had three sons, Paul, the eldest by a year, Keith, born on May 14, 1968 and Corey, six years younger than Keith.

C. SquareOne and EcoStar

12. In 1989, after graduating from high school, Keith started an IT consulting business, Jay-Martin Consulting, Inc d/b/a Square One (“Square One”). As it grew, he brought older brother Paul in to assist and gave him a 10% ownership interest.

13. In 2011, Keith and Paul took over a pest control company, EcoStar Pest Management (“EcoStar”), in which they shared equal ownership and operated out of Square One’s Asbury Park office.

D. Jennifer and Keith and Their Children

14. Keith and Jennifer were married on October 7, 2000. Two children were born of the marriage: a son, Jesse, on November 10, 2007 and a daughter, Sophia, on September 16, 2010.

E. Events Leading to November 20, 2018

15. In 2010, Keith enrolled in Columbia University. He continued to operate Square One and EcoStar as he received a B.A. in 2014 and an MBA in 2018.

16. In April of 2018, as Keith was finishing studies for his MBA, Jennifer confided to Bonnie that she and Keith were “very upset with Paul.” They had recently discovered that Paul was, in Jennifer’s words, “stealing their money.”

17. On numerous occasions thereafter, Jennifer told Bonnie that in addition to Keith discovering that Paul as trustee was stealing money from trusts she and Keith had set up for Jesse and Sophia, Paul had diverted funds that had been set aside to go directly into Jesse and Sophia’s college funds to accounts for his own children instead.

18. In the spring of 2018, Bonnie learned from both Jennifer and Keith that Paul stopped paying for his daughter Marissa’s college tuition and that Keith wound up paying it -- at a cost of approximately \$60,000.

19. Keith and Jennifer also complained to Bonnie on numerous occasions that Paul had been charging excessive and improper personal expenses to credit cards issued to Square One and EcoStar -- debts left for Keith to pay down, which he did.

20. Jennifer also separately confided to Bonnie on numerous occasions that according to Keith, Paul was not “carrying his weight” with the business and that Keith was “taking steps” to protect his business and their family assets from him.

21. On April 11, 2018, Jennifer sent the following text message to Bonnie:

Bonnie -- I’m going to have you be the executor of my trust like I mentioned to you a while ago. The lawyer is drawing up the papers. Paul was the executor and managed to “accidentally” put \$25,000 towards student loans instead of our trust last year alone. \$25,045.77 to be exact. He’s basically been stealing from us.

22. Bonnie recently learned from a mutual friend of hers and Keith’s, Trevor Keiden, that in or about the late summer of 2018, Keith sent him the following text:

He [Paul] paid me back the money he borrowed from my trust -- and I have my accountant running a forensic analysis of the accounts -- and I am going to move it to Bonnie We are talking to a company that wants to buy our business now. Paul just signed the NDA so we can get talking with him. I don’t know what he thinks but I would rather take the cash now then [sic] deal with him going forward. He is a bit

fucking nuts.

23. On November 17, 2018 -- three days before the murders -- Keith told Vlassis that Paul stole \$90,000 from Jesse's and Sophia's college funds.

24. Keith also told Vlassis on the same day that he was going to cut off Paul's \$225,000 annual salary.

25. On the next day, November 18, 2018, Keith emailed a Columbia classmate that he was ready to move on from Square One and EcoStar and was willing to relocate for the right job in an IT capacity.

26. At 6:58 pm on November 19, 2018 Keith forwarded to his brother Corey an email he sent to two Square One employees stating that money was missing from Square One's business account and that he (Keith) was discontinuing all compensation to Paul.

F. November 20, 2018

27. Keith, Jennifer, Jessie and Sophia were murdered in the early morning hours of November 20, 2018 at their Colts Neck home.

28. Their assailant also set the home on fire afterwards with use of carefully placed accelerants.

29. At 12:38 pm on November 20, 2018, Colts Neck Police responding to a 911 report of a fire discovered Keith's body on the front lawn of the residence.

30. Keith sustained five gunshot wounds, one to his left buttock, and four head wounds.

31. A neighbor of Keith's and Jennifer's reported to law enforcement of having heard four to five loud "cracks," consistent with gunshots, at 3:10 am that morning.

32. A second witness who lived near to the home called 911 at 3:33 am to report hearing five shots in rapid succession.

33. The video surveillance camera of a neighbor adjacent to Paul's residence at 27 Tilton Drive, Ocean Township, New Jersey captured headlights of a vehicle exiting Paul's residence at approximately 2:07 am and returning at approximately 4:08 am.

34. Jennifer, Jesse and Sophia were found inside the residence.

35. Jennifer was found on the stairs leading from the first floor to the basement. Her Report of Autopsy identified her cause of death as "gunshot wound to head and stab wounds of torso." Significantly, the Report of Autopsy noted "Carboxyhemoglobin not detected" and further noted "no soot noted in the airways." Jennifer's "thermal injuries" (e.g., fire-related) were "post-mortem."

36. Jesse was found in the kitchen. His Report of Autopsy identified his cause of death as "stab wounds of torso and upper left extremity" and the contributing cause as "smoke inhalation." His Carboxyhemoglobin level was noted at 8%.

37. Carboxyhemoglobin is a compound of carbon monoxide and hemoglobin found in red blood cells. The Reports of Autopsy explain, among other things, that "[m]easurement of carbon monoxide hemoglobin saturation gives an indication of the carbon monoxide concentration in the inspired air and its possible sequelae. Normal endogenous Carboxyhemoglobin levels are generally up to 3.5% in non-smokers and up to 8% in smokers ... toxic symptoms may be noted at levels >10%. Deaths from carbon monoxide, in the absence of resuscitative measures, generally have associated Carboxyhemoglobin levels >40%."

38. **Eight-year-old Sophia was found on the landing of the stairs between the first and second floors.**

39. **Sophia's Report of Autopsy identified her cause of death as "sharp force injuries and smoke inhalation." Her Carboxyhemoglobin level was noted at "49%" -- a fatal level.**

40. Sophia was the only family member to sustain “[r]adiant thermal burns,” “searing of the hair and eyebrows” and to display “soot on the tongue and on the mucosa of the upper airway.”

41. Sophia also sustained “severe pulmonary edema” -- which denotes breathing difficulty.

42. Sophia also sustained “leukocytosis,” a condition that results from an increase in white blood cells which, for an otherwise healthy eight-year-old, denotes onset of high-degree stress.

43. Because the fire that caused the victims’ smoke-related injuries was first reported at 12:38 pm on November 20, 2018 -- more than nine hours after gunshots were heard -- the crime scene evidence establishes that **Sophia survived her parents albeit with multiple stab wounds for an unimaginable period of time but demonstrably long enough to experience breathing difficulty and onset of high-degree stress.**

44. The fire, described as a slow smoldering that ignited when oxygen was introduced by police officers when they opened the door to enter the home, was not noticed by neighbors until after noon. According to news reports:

Before Paul Caneiro left the mansion on Willow Brook Road, authorities allege, he ignited a fire in the basement, a blaze that would slowly smolder in the house until it would explode into an inferno several hours later.

45. News reports also confirmed that police responded to a fire at Paul’s residence in Ocean Township in the early morning hours of November 20, 2018 -- hours before the fire at Keith’s and Jennifer’s residence was reported by neighbors at 12:38 pm.

46. Law enforcement officials have alleged that Paul used gasoline to set fire to his home in effort to destroy evidence and to shield himself from suspicion.

47. The crime scene evidence conclusively establishes that Keith predeceased Jennifer, Jennifer predeceased her children and Sophia survived Jesse. The children -- and Sophia in the end - inherited their parents' estates and died intestate.

G. **Criminal Charges Against Paul**

48. Within days of the tragedy, Paul was charged with the murders of Sophia, her parents and her brother. He was also subsequently charged with insurance fraud.

FIRST COUNT

(Wrongful Death)

49. There is, and at the time of this accident hereinafter set forth, and in force and effect in the State of New Jersey a death statute known and designated as N.J.S.A. 2A:31-1 through 6, and Plaintiff, Vlassis Karidis, individually and as the grandfather of his deceased granddaughter, Sophia, brings this action pursuant to the provisions thereof for her benefit.

50. This action is commenced within two years of the murder of Sophia Caneiro by her uncle and defendant, Paul Caneiro.

51. As a proximate result of the death of Sophia, Plaintiff, Vlassis Karidis, her grandfather, has been deprived of a kind and loving granddaughter, and of her care, comfort, society, love, companionship and affection.

52. As a direct and proximate result of the intentional and/or negligent conduct of Defendant, Paul Caneiro, resulting in the death of his niece, Sophia Caneiro, Sophia Caneiro accrued hospital, medical and funeral expenses.

WHEREFORE, Plaintiff, Vlassis Karidis, individually and as Administrator Ad Prosequendum and grandfather of his deceased minor granddaughter, Sophia Caneiro, demands

Judgment for compensatory damages against the Defendant, Paul Caneiro, as well as any punitive damages, interest, and costs of suit.

SECOND COUNT

(Survivorship Action)

53. Plaintiff, Vlassis Karidis, individually, and as Administrator Ad Prosequendum and grandfather of the deceased minor and granddaughter, Sophia Caneiro, repeats each and every allegation of the First Count of the Complaint as though fully set forth herein.

54. On November 20, 2018, Sophia Caneiro, eight (8) years of age, died as a result of the injuries sustained in this incident as more specifically described herein.

55. Had Sophia Caneiro, the minor child and granddaughter of Vlassis Karidis, survived the intentional and/or negligent and/or reckless actions and/or inactions of Defendant, Paul Caneiro, Sophia Caneiro would have been able to recover damages for her serious and permanent injuries, and would have been able to maintain an action for damages had she survived.

56. Plaintiff, Vlassis Karidis, on behalf of the Estate of the minor child, Sophia Caneiro, and acting in accordance with his duties as Administrator Ad Prosequendum and grandfather, seeks damages compensable under N.J.S.A. 2A:15-3 (or any successor statute) against the Defendant, Paul Caneiro.

57. Accordingly, Plaintiff is entitled to survivorship damages under N.J.S.A. 2A:15-3.

WHEREFORE, Plaintiff, Vlassis Karidis, individually and as Administrator Ad Prosequendum and grandfather of his deceased minor granddaughter, Sophia Caneiro, demands Judgment for compensatory damages against the Defendant, Paul Caneiro, as well as any punitive damages, interest, and costs of suit.

THIRD COUNT

(Negligence)

58. Plaintiff, Vlassis Karidis, individually, and as Administrator Ad Prosequendum and grandfather of the deceased minor and granddaughter, Sophia Caneiro, repeats each and every allegation of the First and Second Counts of the Complaint as though fully set forth herein.

59. Should defendant, Paul Caneiro, be found not guilty of the murder of Sophia Caneiro in the pending criminal action by reasons of insanity, such that he lacked the mens rea to act intentionally when murdering his niece, Sophia Caneiro, he may be deemed negligent in her murder violating a reasonable duty of care and breaching that duty.

60. As a direct and proximate result of the aforesaid negligence and recklessness of defendant, Paul Caneiro, his niece, Sophia Caneiro, as the granddaughter of Plaintiff, Vlassis Karidis, was injured, was caused great pain and mental suffering, and was caused death.

WHEREFORE, Plaintiff, Vlassis Karidis, individually and as Administrator Ad Prosequendum and grandfather of his deceased minor granddaughter, Sophia Caneiro, demands Judgment for compensatory damages against the Defendant, Paul Caneiro, as well as any punitive damages, interest, and costs of suit.

EINHORN, BARBARITO, FROST
& BARBARITO, P.C.
Attorneys for Plaintiff

BY: 

CHRISTOPHER L. MUSMANNO

Dated: November 10, 2020

CERTIFICATION PURSUANT TO R. 4:5-1

I HEREBY CERTIFY, pursuant to R. 4:5-1 of the Rules Governing the Courts of the State of New Jersey that, with the exception of the related cases pending in the Superior Court of New Jersey, Monmouth County, Chancery Division, Probate Part entitled: 1) In the Matter of the Estate of Keith Caneiro, Docket No. P-0454-18, 2) In the Matter of the Estate of Jennifer Karidis Caneiro, Docket No. P-0174-19; and 3) John G. Hoyle, III, Administrator of the Estate of Keith Caneiro, Jay-Martin Consulting, Inc and EcoStar, Inc., Docket No. C-131-19, the above-entitled matter in controversy is not the subject of any other action pending in any court or arbitration proceeding, nor do the Plaintiffs herein contemplate any such court or arbitration proceeding at this time, nor should any party known to the Plaintiffs be joined in this action at this time.

I FURTHER CERTIFY that the foregoing statements made by me are true to the best of my knowledge, information and belief. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

EINHORN, BARBARITO, FROST
& BARBARITO, P.C.
Attorneys for Plaintiff

BY: _____

CHRISTOPHER L. MUSMANNO

Dated: November 10, 2020

DESIGNATION OF TRIAL COUNSEL

PLAINTIFF hereby designates Christopher L. Musmanno, Esq. as trial counsel pursuant to R. 4:5-1(c).

JURY DEMAND

PLAINTIFF hereby demands trial by jury all issues so triable herein in accordance with R. 4:35 of the Rules Governing The Courts of the State of New Jersey.

EINHORN, BARBARITO, FROST
& BARBARITO, P.C.
Attorneys for Plaintiff

BY:


CHRISTOPHER L. MUSMANNO

Dated: November 10, 2020

DEMAND FOR INTERROGATORY ANSWERS

Pursuant to R.4:17-1(b)(ii), the Plaintiff hereby demands that all Defendants answer the uniform interrogatories listed in Form C of Appendix II of the Rules of Court.

EINHORN, BARBARITO, FROST
& BARBARITO, P.C.
Attorneys for Plaintiff

BY:


CHRISTOPHER L. MUSMANNO

Dated: November 10, 2020

DEMAND FOR DISCOVERY OF INSURANCE COVERAGE

The undersigned attorney for Plaintiff hereby demands that proof of all insurance which may extend coverage to the Defendant for the subject incident and the limits of said coverage be furnished to Plaintiff within five days of the date hereof.

EINHORN, BARBARITO, FROST
& BARBARITO, P.C.
Attorneys for Plaintiff

BY:


CHRISTOPHER L. MUSMANNO

Dated: November 10, 2020

NOTICE IN LIEU OF SUBPOENA

Pursuant to R.1:9-1 Plaintiff hereby demands the appearance of each and every named Defendant for the purpose of giving testimony in the above referenced action at the time of trial.

EINHORN, BARBARITO, FROST
& BARBARITO, P.C.
Attorneys for Plaintiff

BY:


CHRISTOPHER L. MUSMANNO

Dated: November 10, 2020

CERTIFICATION PURSUANT TO R. 1:38-7 (b) and (c)

I, Christopher L. Musmanno, do hereby certify that confidential personal identifiers have been redacted from documents now submitted to the Court and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b) and (c).

EINHORN, BARBARITO, FROST
& BARBARITO, P.C.
Attorneys for Plaintiff

BY:



CHRISTOPHER L. MUSMANNO

Dated: November 10, 2020