

1 ANDREW PARKER FELIX (SBN 276002)
andrew@forthepeople.com
2 **MORGAN & MORGAN, P.A.**
633 West Fifth Street, Suite 2200
3 Los Angeles, CA 90071
Telephone: (323) 825-3424
4 Facsimile: (213) 418-3983
Counsel for Plaintiffs
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Electronically FILED by
Superior Court of California,
County of Los Angeles
6/16/2025 1:14 PM
David W. Slayton,
Executive Officer/Clerk of Court,
By J. Gonzalez, Deputy Clerk

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF LOS ANGELES**

10 ROBERT LEWIS, individually, TENNILLE
11 LEWIS, individually, TENNILLE LEWIS, as the
12 parent and legal guardian of T.L., a minor child,
13 TENNILLE LEWIS, as the parent and legal
14 guardian of D.L., a minor child, and TRIPP
WAGNER LEWIS, individually,

15
16 Plaintiffs,

17
18 v.

19 AMAZON.COM, INC., a foreign corporation, and
20 US ACTBEST TECHNOLOGY, INC., a California
21 Corporation,

22
23 Defendants.
24

Case No. 25PSCV02192

COMPLAINT FOR DAMAGES:

- (1) **Count I—Strict Liability Against Amazon**
- (2) **Count II—Negligence Against Amazon**
- (3) **Count III—Negligent Undertaking Against Amazon**
- (4) **Count IV—Strict Liability Against Actbest**
- (5) **Count V—Negligence Against Actbest**
- (6) **Count VI—Punitive Damages Against Amazon**
- (7) **Count VII—Punitive Damages Against Actbest**

DEMAND FOR JURY TRIAL

25 **NOW COMES** Plaintiffs, ROBERT LEWIS, individually, TENNILLE LEWIS, individually,
26 TENNILLE LEWIS, as the parent and legal guardian of T.L., a minor child, TENNILLE LEWIS, as the
27 parent and legal guardian of D.L., a minor child, and TRIPP WAGNER LEWIS, individually, through their
28 undersigned counsel, to sue Defendants, AMAZON.COM, INC., a foreign corporation, and US ACTBEST

1 TECHNOLOGY, INC., a California corporation, and in support thereof, state:

2 **NATURE OF THE ACTION**

3 1. This is a civil action arising out of the serious, permanent, and life-altering personal injuries
4 Plaintiff Robert Lewis sustained on December 30, 2024, while riding an E-Bike (hereinafter the “Subject
5 E-Bike”) that was designed, manufactured, distributed, and sold by Defendants. The incident occurred
6 when the foldable components of the Subject E-Bike that were meant to be locked into place during use
7 suddenly malfunctioned and unexpectedly collapsed – causing Mr. Lewis to be violently thrown from the
8 Subject E-Bike. As a result of the Subject E-Bike’s unexpected failure, Mr. Lewis fell into a coma and is
9 now permanently paralyzed.

10 2. Plaintiffs bring this action against Defendants for the damages sustained, including but not
11 limited to pain, suffering, permanent disfigurement, loss of income, loss of earning capacity, and the loss
12 of enjoyment of life, as well as for punitive damages.

13 **THE PARTIES, JURISDICTION & VENUE**

14 3. At all times relevant hereto, Plaintiffs Robert Lewis and Tennille Lewis were married as
15 husband and wife. Robert and Tennille Lewis share three children together: T.L., a minor child; D.L., a
16 minor child; and Plaintiff Tripp Wagner Lewis, an adult individual.

17 4. Defendant, Amazon.com, Inc. (“Amazon”), is a foreign corporation registered in Delaware.
18 Amazon may be served with process through its registered agent: Corporation Service Company, 251 Little
19 Falls Drive, Wilmington, DE 19808.

20 5. Defendant, US Actbest Technology, Inc. (“Actbest”), is a California corporation with its
21 principal place of business in Los Angeles County, California. As such, this Court has general personal
22 jurisdiction over Actbest. Actbest may be served with process through its registered agent: Na Lu, 324 S.
23 Diamond Bar Blvd., Unit #717, Diamond Bar, California 91765.

24 6. This Court is authorized under California law to exercise personal jurisdiction over Amazon
25 pursuant to the California long-arm statute because such jurisdiction is consistent with the due process
26 clause of the 14th Amendment, and California’s long-arm statute confers jurisdiction to the extent of the
27 due process clause.

28 7. Specifically, this Court has the constitutional authority to exercise personal jurisdiction over

1 Amazon because Amazon purposefully availed and targeted the California market to enter into contracts
2 with California business to facilitate the distribution of their products, including Actbest's products, into
3 California through its Amazon marketplace. Amazon reached into California to enter into a Business
4 Solutions Agreement to facilitate the distribution of Actbest's products to its customers, including those
5 located throughout the United States and in California. Amazon uses its agreements with California
6 corporations like Actbest to derive substantial revenue from California customers by taking a portion of
7 profit on each sale from these California customers as compensation for access to its vast consumer
8 distribution network. Amazon facilitated the distribution of the defective Subject E-Bike from California,
9 where it was designed, manufactured, tested and imported through the State of California to the Plaintiffs.
10 Amazon further established a network of communication from California to its consumers, including
11 Plaintiffs, to provide after-sales service and advice to these out-of-state customers.

12 8. Plaintiffs' claims in this lawsuit arise out of Amazon's contacts with the State of California,
13 including by facilitating the sale and distribution of the defective Subject E-Bike from Actbest to Plaintiffs.
14 Exercising personal jurisdiction over Amazon in Los Angeles, County is proper. Further, exercising
15 jurisdiction over Amazon would be consistent with the traditional notions of fair play and substantial
16 justice. Therefore, this Court has personal jurisdiction over Amazon.

17 9. Venue is proper in Los Angeles County, California because Actbest is headquartered in Los
18 Angeles County and Los Angeles County is where the tortious actions in this case—the placement of the
19 defective Subject E-Bike that injured Plaintiff—originated.

20 **FACTUAL ALLEGATIONS**

21 10. Actbest designed, manufactured, produced, distributed, and sold the Subject E-Bike in Los
22 Angeles County, California, and Actbest imported the Subject E-Bike and its components into Los Angeles
23 County, California.

24 11. Actbest entered into a contract with Amazon in Los Angeles County, California for the
25 purpose of placing its E-Bikes, including the Subject E-Bike, into commerce for sale to Amazon's
26 customers, including Plaintiff Robert Lewis.

27 12. Actbest in conjunction with Amazon distributed and sold the Subject E-Bike to Plaintiff
28 Robert Lewis.

1 13. Actbest made the Subject E-Bike to be foldable when not in use.

2 14. On December 30, 2024, Plaintiff Robert Lewis was riding the Subject E-Bike when the
3 foldable handlebars suddenly malfunctioned and collapsed during use.

4 15. Plaintiff Robert Lewis attempted to stop the Subject E-Bike but was unable to do so because
5 of the malfunction.

6 16. As a result, Plaintiff Robert Lewis fell from the Subject E-Bike and sustained permanent
7 and severe injuries that have left him paralyzed from the waist down:



25 17. The Subject E-Bike malfunctioned and injured Plaintiff Robert Lewis because of its
26 defective design, manufacture, distribution, and warning.

27 18. The Subject E-Bike's defective condition made the product unreasonably dangerous for its
28 designed, intended, and foreseeable uses.

19. Defendants knew or should have known that the Subject E-Bike was in a defective and unreasonably dangerous condition when they placed the product into the stream of commerce.

20. An ordinary consumer does not expect that the Subject E-Bike's foldable components will malfunction, fail, and collapse while riding the product.

21. The Subject E-Bike's defective and unreasonably dangerous condition actually and proximately caused Plaintiff Robert Lewis to fall and sustain the injuries that he did.

22. Had Plaintiff Robert Lewis been aware of the Subject E-Bike's defective and unreasonably dangerous condition, he never would have purchased or used the product and would not have been injured.

COUNT I—STRICT LIABILITY

(Against Amazon)

23. Plaintiffs re-allege and incorporate paragraphs 1 through 22 of this Complaint as if fully stated herein.

24. Amazon is responsible for advertising, distributing, and selling the Subject E-Bike and for otherwise placing the Subject E-Bike into the stream of commerce.

25. When Amazon advertised, distributed, and sold the Subject E-Bike, the Subject E-Bike was in a defective condition.

26. The Subject E-Bike's defective condition made the product unreasonably dangerous for its designed, intended, and foreseeable uses.

27. Amazon knew or should have known that the Subject E-Bike was in a defective and unreasonably dangerous condition when Amazon placed the product into the stream of commerce.

28. The Subject E-Bike's defective and unreasonably dangerous condition actually and proximately caused Plaintiff Robert Lewis to fall and sustain the injuries that he did.

29. Because of Robert Lewis' injuries, Tennille Lewis, T.L., D.L., and Tripp Wagner Lewis have lost the love, aid, affection, society, support, relation, companionship, and consortium entitled to them by virtue of their respective relationships to Robert Lewis.

WHEREFORE, Plaintiffs, ROBERT LEWIS, individually, TENNILLE LEWIS, individually, TENNILLE LEWIS, as the parent and legal guardian of T.L., a minor child, TENNILLE LEWIS, as the parent and legal guardian of D.L., a minor child, and TRIPP WAGNER LEWIS, individually, demand

1 judgment against Defendant, AMAZON.COM, INC., for all injuries and damages sustained by Plaintiffs
2 as a result of the incident giving rise to this action, whether already incurred or to be incurred in the future,
3 including all actual damages, consequential damages, economic damages, non-economic damages, loss of
4 wages and earning capacity, loss of consortium, mental anguish, emotional distress, pain and suffering,
5 costs, interest, and for any such further relief as the Court deems appropriate.

6 **COUNT II—NEGLIGENCE**

7 **(Against Amazon)**

8 30. Plaintiffs re-allege and incorporate paragraphs 1 through 22 of this Complaint as if fully
9 stated herein.

10 31. Amazon is responsible for advertising, distributing, and selling the Subject E-Bike and for
11 otherwise placing the Subject E-Bike into the stream of commerce.

12 32. When Amazon advertised, distributed, and sold the Subject E-Bike, the Subject E-Bike was
13 in a defective condition.

14 33. The Subject E-Bike's defective condition made the product unreasonably dangerous for its
15 designed, intended, and foreseeable uses.

16 34. Amazon knew or should have known that the Subject E-Bike was in a defective and
17 unreasonably dangerous condition when Amazon placed the product into the stream of commerce.

18 35. Amazon had a duty to ensure the Subject E-Bike was designed, manufactured, produced,
19 distributed, and sold in a condition that was safe and not defective or injurious to users.

20 36. Amazon had a duty to ensure that adequate testing and quality assurance had been
21 performed on the Subject E-Bike and its design before advertising, distributing, and selling the Subject E-
22 Bike.

23 37. Amazon had a duty to provide adequate warnings and instructions with the Subject E-Bike.

24 38. Amazon breached the above duties.

25 39. Amazon's breach of the above duties were each the actual and proximate cause of Plaintiff
26 Richard Lewis' injuries.

27 40. Because of Robert Lewis' injuries, Tennille Lewis, T.L., D.L., and Tripp Wagner Lewis
28 have lost the love, aid, affection, society, support, relation, companionship, and consortium entitled to them

1 by virtue of their respective relationships to Robert Lewis.

2 **WHEREFORE**, Plaintiffs, ROBERT LEWIS, individually, TENNILLE LEWIS, individually,
3 TENNILLE LEWIS, as the parent and legal guardian of T.L., a minor child, TENNILLE LEWIS, as the
4 parent and legal guardian of D.L., a minor child, and TRIPP WAGNER LEWIS, individually, demand
5 judgment against Defendant, AMAZON.COM, INC., for all injuries and damages sustained by Plaintiffs
6 as a result of the incident giving rise to this action, whether already incurred or to be incurred in the future,
7 including all actual damages, consequential damages, economic damages, non-economic damages, loss of
8 wages and earning capacity, loss of consortium, mental anguish, emotional distress, pain and suffering,
9 costs, interest, and for any such further relief as the Court deems appropriate.

10 **COUNT III—NEGLIGENT UNDERTAKING**

11 **(Against Amazon)**

12 41. Plaintiffs re-allege and incorporate paragraphs 1 through 22 of this Complaint as if fully
13 stated herein.

14 42. Amazon undertook to provide services to protect Amazon users from the defective products
15 through the requirements it placed on the co-Defendant Actbest to use its services. Consumers of Amazon
16 reasonably relied on Amazon's service to monitor product complaints and remove unsafe consumer
17 products to prevent the sale of defective products.

18 43. Amazon negligently carried out this service by ignoring consumer complaints and safety
19 issues with the Subject E-Bike that they had knowledge of.

20 44. Amazon negligently carries out this service by ignoring obvious design, manufacturing and
21 warning defects that they would have been aware of had they actually fulfilled the obligations they
22 voluntarily assumed and promised consumers Amazon would implement.

23 45. Amazon's negligent undertaking of its duties that it gratuitously undertook to provide
24 Plaintiff Richard Lewis was a proximate cause of Plaintiff Richard Lewis' injuries.

25 46. Because of Robert Lewis' injuries, Tennille Lewis, T.L., D.L., and Tripp Wagner Lewis
26 have lost the love, aid, affection, society, support, relation, companionship, and consortium entitled to them
27 by virtue of their respective relationships to Robert Lewis.

28 **WHEREFORE**, Plaintiffs, ROBERT LEWIS, individually, TENNILLE LEWIS, individually,

1 TENNILLE LEWIS, as the parent and legal guardian of T.L., a minor child, TENNILLE LEWIS, as the
2 parent and legal guardian of D.L., a minor child, and TRIPP WAGNER LEWIS, individually, demand
3 judgment against Defendant, AMAZON.COM, INC., for all injuries and damages sustained by Plaintiffs
4 as a result of the incident giving rise to this action, whether already incurred or to be incurred in the future,
5 including all actual damages, consequential damages, economic damages, non-economic damages, loss of
6 wages and earning capacity, loss of consortium, mental anguish, emotional distress, pain and suffering,
7 costs, interest, and for any such further relief as the Court deems appropriate.

8 **COUNT IV—STRICT LIABILITY**

9 **(Against Actbest)**

10 47. Plaintiffs re-allege and incorporate paragraphs 1 through 22 of this Complaint as if fully
11 stated herein.

12 48. Actbest is responsible for designing, manufacturing, producing, distributing, and selling,
13 the Subject E-Bike and for otherwise placing the Subject E-Bike into the stream of commerce.

14 49. When Actbest designed, manufactured, produced, distributed, and sold the Subject E-Bike,
15 the Subject E-Bike was defective in its design, manufacture, and warning.

16 50. The Subject E-Bike's defective condition made the product unreasonably dangerous for its
17 designed, intended, and foreseeable uses.

18 51. Actbest knew or should have known that the Subject E-Bike was in a defective and
19 unreasonably dangerous condition when Actbest placed the product into the stream of commerce.

20 52. The Subject E-Bike's defective and unreasonably dangerous condition actually and
21 proximately caused Plaintiff Robert Lewis to fall and sustain the injuries that he did.

22 53. Because of Robert Lewis' injuries, Tennille Lewis, T.L., D.L., and Tripp Wagner Lewis
23 have lost the love, aid, affection, society, support, relation, companionship, and consortium entitled to them
24 by virtue of their respective relationships to Robert Lewis.

25 **WHEREFORE**, Plaintiffs, ROBERT LEWIS, individually, TENNILLE LEWIS, individually,
26 TENNILLE LEWIS, as the parent and legal guardian of T.L., a minor child, TENNILLE LEWIS, as the
27 parent and legal guardian of D.L., a minor child, and TRIPP WAGNER LEWIS, individually, demand
28 judgment against Defendant, US ACTBEST TECHNOLOGY, INC., for all injuries and damages sustained

1 by Plaintiffs as a result of the incident giving rise to this action, whether already incurred or to be incurred
2 in the future, including all actual damages, consequential damages, economic damages, non-economic
3 damages, loss of wages and earning capacity, loss of consortium, mental anguish, emotional distress, pain
4 and suffering, costs, interest, and for any such further relief as the Court deems appropriate.

5 **COUNT V—NEGLIGENCE**

6 **(Against Actbest)**

7 54. Plaintiffs re-allege and incorporate paragraphs 1 through 22 of this Complaint as if fully
8 stated herein.

9 55. Actbest is responsible for designing, manufacturing, producing, distributing, and selling,
10 the Subject E-Bike and for otherwise placing the Subject E-Bike into the stream of commerce.

11 56. When Actbest designed, manufactured, produced, distributed, and sold the Subject E-Bike,
12 the Subject E-Bike was defective in its design, manufacture, and warning.

13 57. The Subject E-Bike's defective condition made the product unreasonably dangerous for its
14 designed, intended, and foreseeable uses.

15 58. Actbest knew or should have known that the Subject E-Bike was in a defective and
16 unreasonably dangerous condition when Actbest placed the product into the stream of commerce.

17 59. Actbest had a duty to ensure the Subject E-Bike was designed, manufactured, produced,
18 distributed, and sold in a condition that was safe and not defective or injurious to users.

19 60. Actbest had a duty to ensure that adequate testing and quality assurance had been performed
20 on the Subject E-Bike and its design before advertising, distributing, and selling the Subject E-Bike.

21 61. Actbest had a duty to provide adequate warnings and instructions with the Subject E-Bike.

22 62. Actbest breached the above duties.

23 63. Actbest's breach of the above duties were each the actual and proximate cause of Plaintiff
24 Richard Lewis' injuries.

25 64. Because of Robert Lewis' injuries, Tennille Lewis, T.L., D.L., and Tripp Wagner Lewis
26 have lost the love, aid, affection, society, support, relation, companionship, and consortium entitled to them
27 by virtue of their respective relationships to Robert Lewis.

28 **WHEREFORE**, Plaintiffs, ROBERT LEWIS, individually, TENNILLE LEWIS, individually,

1 TENNILLE LEWIS, as the parent and legal guardian of T.L., a minor child, TENNILLE LEWIS, as the
2 parent and legal guardian of D.L., a minor child, and TRIPP WAGNER LEWIS, individually, demand
3 judgment against Defendant, US ACTBEST TECHNOLOGY, INC., for all injuries and damages sustained
4 by Plaintiffs as a result of the incident giving rise to this action, whether already incurred or to be incurred
5 in the future, including all actual damages, consequential damages, economic damages, non-economic
6 damages, loss of wages and earning capacity, loss of consortium, mental anguish, emotional distress, pain
7 and suffering, costs, interest, and for any such further relief as the Court deems appropriate.

8 **COUNT VI—PUNITIVE DAMAGES**

9 **(Against Amazon)**

10 65. Plaintiffs re-allege and incorporate paragraphs 1 through 22 of this Complaint as if fully
11 stated herein.

12 66. California Civil Code § 3294 allows for punitive damages for penalties or exemplary
13 damages “where it is proven by clear and convincing evidence that the Defendants have been guilty of
14 oppression, fraud, or malice.”

15 67. Amazon has continuously shown malice through its actions to facilitate the distribution and
16 sale of violative and dangerous products to American consumers. Amazon has failed to take any
17 meaningful steps to prevent defective products from reaching its subscribers, despite marketing to its
18 subscribers that Amazon attempts to protect them from dangerous products. Similar to the hoverboard
19 phenomenon in the past, the E-Bikes distributed through and sold by Amazon.com are the latest example
20 of Amazon seeking to profit off of a new consumer product space with complete disregard for the safety
21 of its subscribers.

22 68. Amazon’s conduct was not simply negligent, but amounted to intentional misconduct, gross
23 negligence, recklessness, and/or willful and wanton conduct, particularly in light of (a) the protracted
24 period of time over which the defects have existed, (b) the long-held knowledge of the defect and danger
25 to consumers known by Amazon, (c) the repeated failure to take adequate steps to notify the public or
26 federal regulators of the danger, and (d) the repeated efforts by Amazon to minimize the seriousness and
27 scope of the problem. Such conduct justifies punitive damages against Amazon.

28 **WHEREFORE**, Plaintiffs, ROBERT LEWIS, individually, TENNILLE LEWIS, individually,

1 TENNILLE LEWIS, as the parent and legal guardian of T.L., a minor child, TENNILLE LEWIS, as the
2 parent and legal guardian of D.L., a minor child, and TRIPP WAGNER LEWIS, individually, demand
3 judgment against Defendant, AMAZON.COM, INC., for punitive damages in a fair and reasonable amount
4 commensurate with this Defendant's misconduct that caused Plaintiffs' injuries.

5 **COUNT VII—PUNITIVE DAMAGES**

6 **(Against Actbest)**

7 69. Plaintiffs re-allege and incorporate paragraphs 1 through 22 of this Complaint as if fully
8 stated herein.

9 70. California Civil Code § 3294 allows for punitive damages for penalties or exemplary
10 damages "where it is proven by clear and convincing evidence that the Defendants have been guilty of
11 oppression, fraud, or malice."

12 71. Actbest has shown malice through its actions to facilitate the distribution and sale of
13 violative and dangerous products to its consumers. Actbest has failed to take any meaningful steps to ensure
14 the safety of the products it sells to the public. Similar to the hoverboard phenomenon in the past, the E-
15 Bikes distributed through and sold by Actbest are the latest example of a company seeking to profit off of
16 a new consumer product space with complete disregard for the danger those products pose to consumers.

17 72. Actbest's conduct was not simply negligent, but amounted to intentional misconduct, gross
18 negligence, recklessness, and/or willful and wanton conduct, particularly in light of (a) the protracted
19 period of time over which the defects have existed, (b) the long-held knowledge of the defect and danger
20 to consumers known by Actbest, (c) the repeated failure to take adequate steps to notify the public or
21 federal regulators of the danger, and (d) the repeated failure by Actbest to ensure the safety of the products
22 it sells. Such conduct justifies punitive damages against Actbest.

23 **WHEREFORE**, Plaintiffs, ROBERT LEWIS, individually, TENNILLE LEWIS, individually,
24 TENNILLE LEWIS, as the parent and legal guardian of T.L., a minor child, TENNILLE LEWIS, as the
25 parent and legal guardian of D.L., a minor child, and TRIPP WAGNER LEWIS, individually, demand
26 judgment against Defendant, US ACTBEST TECHNOLOGY, INC., for punitive damages in a fair and
27 reasonable amount commensurate with this Defendant's misconduct that caused Plaintiffs' injuries.

28 ///

1 **PRAYER FOR RELIEF**

2 **WHEREFORE**, Plaintiffs pray that judgment be entered against Defendants for all claims asserted
3 herein as follows:

- 4 1. For property damages, according to proof;
5 2. For past and future medical, health care, and treatment expenses, according to proof;
6 3. For past and future lost wages and loss of earning capacity, according to proof;
7 4. For general damages, according to proof;
8 5. For all economic damages, according to proof;
9 6. For all non-economic damages, including past and future pain and suffering, past and future
10 mental anguish, past and future loss of enjoyment of life, and past and future permanent disfigurement,
11 past and future disability, according to proof;
12 7. For punitive damages against each Defendant in a fair and reasonable amount
13 commensurate with each Defendant's misconduct;
14 8. All costs of suits, according to proof;
15 9. For applicable interest as provided by law; and
16 10. For such other and further relief as the Court may deem just and proper.

17 **DEMAND FOR JURY TRIAL**

18 Plaintiffs demand a jury trial on all issues so triable.
19

20 Dated: June 16, 2025

21 /s/ Andrew Parker Felix

22 ANDREW PARKER FELIX (SBN 276002)

23 Email: andrew@forthepeople.com

24 MORGAN & MORGAN, P.A.

25 633 West Fifth Street, Suite 2200

26 Los Angeles, CA 90071

27 Telephone: (407) 244-3962

28 Fax: (407) 245-3334

Counsel for Plaintiffs