

FILED

FEB 25 2009

DAVID J. STUBBS, CLERK
[Signature]

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

DEMARIS MEYER

PLAINTIFF

VS.

CIVIL ACTION NO. 2:09CV038-M-A

MORGAN FREEMAN

DEFENDANT

**COMPLAINT
[Trial by Jury Requested]**

COMES NOW the Plaintiff, Demaris Meyer, and files this her Complaint against the Defendant Morgan Freeman and would show unto the Court the following:

A. PARTIES

1. The Plaintiff, Demaris Meyer ("Ms. Meyer") is an adult resident citizen of the state of Tennessee, residing at 2968 Millers Pond Drive, Memphis, TN 38119.

2. The Defendant, Morgan Freeman ("Mr. Freeman") is an adult resident citizen of Tallahatchie County, Mississippi, residing at 3771 Highway 35 North, Charleston, MS 38921, where he may be served with process of this court.

B. JURISDICTION and VENUE

3. Jurisdiction is proper in this Court pursuant to 28 U.S.C. § 1332. There is complete diversity of citizenship between the Plaintiff and the Defendant, and the matter in controversy is in excess of *Seventy-Five Thousand Dollars* (\$75,000.00), exclusive of interests and costs.

4. Venue is also proper in this Court as a substantial part of the events or omissions giving rise to the cause of action occurred in the Northern District of Mississippi, Delta Division. Venue is therefore proper pursuant to 28 U.S.C. § 1391.

C. FACTS GIVING RISE TO CAUSE OF ACTION

5. On or before July 31, 2008, Ms. Meyer was invited to attend a gathering at Bayou Bend Golf & Country Club between Sumner and Webb, Mississippi at the invitation of William Lockett (“Mr. Lockett”), an attorney, friend, and business partner of Mr. Freeman. Mr. Lockett represented to Ms. Meyer that she would have the opportunity to meet Mr. Freeman at this event.

6. On August 3, 2008, Ms. Meyer drove to Lockett’s home in Clarksdale, MS. Shortly before 6:00 p.m., Ms. Meyer rode with Mr. Lockett’s wife to Bayou Bend where they met Mr. Lockett and Mr. Freeman for dinner. Throughout the course of dinner and afterward drinks were consumed by Freeman.

7. At approximately 9:00 p.m, Ms. Meyer rode back to Lockett’s home with Mr. Lockett. Freeman followed in his own vehicle. Freeman had at least one more drink while at Lockett’s home.

8. While at Mr. Lockett’s home, Mr. Freeman invited Ms. Meyer to stay at his home for the night, indicating that not only would Ms. Meyer have her own bedroom in which to stay, she would have her “own house.” With this in mind, and because it would be much closer for Ms. Meyer to travel to her place of employment the next morning from Mr. Freeman’s home, she agreed. Thereafter, Mr. Freeman and Ms. Meyer left Mr. Lockett’s home in Ms. Meyer’s 1997 Nissan Maxima en route to Mr. Freeman’s home in Charleston, MS.

9. At approximately 11:30 p.m., while traveling in an easterly direction on Mississippi Highway 32, Mr. Freeman lost control of the car, entered the left hand lane of traffic, overcorrected his steering and ran off of the right side of the highway. The car traveled into the ditch, struck the dirt embankment of a private driveway and flipped several times before finally

coming to rest facing south.

10. As a result of the collision, Ms. Meyer was airlifted to The Med in Memphis, TN with serious and disabling injuries including a broken left wrist and right scapula, a torn labrum in her right shoulder, pulmonary contusions, cervical strain and numerous bruises and lacerations. She also sustained a significant blow to the head and closed head injury which has resulted in cognitive difficulties and short term memory loss. Further, she has suffered severe mental anguish and emotional distress since the incident. Because of her injuries, Ms. Meyer has been unable to return to work since the accident.

D. CAUSE OF ACTION

11. Mr. Freeman had a duty to operate the 1997 Nissan Maxima in a reasonably safe manner and to obey the rules of the road. Mr. Freeman was negligent and breached said duty in that he:

- a. Failed to keep a proper look-out;
- b. Failed to maintain his attention to the task at hand (his driving);
- c. Failed to keep his vehicle under proper control; and
- d. Failed to obey the speed limit;

12. As a direct and proximate result of Mr. Freeman's negligence, Ms. Meyer suffered severe physical and emotional injuries.

E. DAMAGES

13. As a direct and proximate result of the negligence of Morgan Freeman, Ms. Meyer is entitled to recover from the Defendant damages for the following:

- a. Past, present, and future medical expenses;

- b. Past, present and future physical pain and suffering;
- c. Past, present, and future lost earnings and wages;
- d. Permanent disability;
- e. Past, present, and future mental and emotional distress; and
- f. Property damage.

F. PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, the Plaintiffs, Demaris Meyer, brings this action and demands judgment against the Defendant, Morgan Freeman, for compensatory damages in an amount in excess of the minimum jurisdictional limits of this Court; for prejudgment interest; for post-judgment interest; and for all costs associated with this action.

THIS the 24th day of February, 2009.

Respectfully submitted,

DEMARIS MEYER

By: Walter Morrison
One of her Attorneys

Walter C. Morrison IV, MSB No.9653
SESSUMS, DALLAS & MORRISON, PLLC
240 Trace Colony Park Drive
Suite One Hundred
Ridgeland, Mississippi 39157
Telephone: 601.933.2040
Facsimile: 601.933.2050