

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

RACHEL PARIS,

Plaintiff,

vs.

No.  
Hon.

BOB MURRAY and THE ANAHEIM  
DUCKS HOCKEY CLUB, LLC,

Jointly and Severally,

Defendants.

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FREDERIC M. ROSEN, P.C.  
Attorneys for Plaintiff  
**Frederic M. Rosen** (P19625)  
**Steffani Chocron** (P45335)  
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Attorney for Plaintiff  
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Detroit, Michigan 48226  
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**COMPLAINT AND JURY DEMAND**

There is no other pending or resolved civil  
action arising out of the same transaction or occurrence  
alleged in this complaint.

s/Frederic M. Rosen

NOW COMES the Plaintiff Rachel Paris, by and through her attorneys FREDERIC M.  
ROSEN, P.C., and for her Complaint against Defendants states as follows:

**PARTIES, JURISDICTION AND VENUE**

1. That Plaintiff Rachel Paris, is a resident of the County of Wayne, State of  
Michigan.

2. That the Defendant, Bob Murray is a resident of the County of Orange, State of California.
3. That the Defendant, The Anaheim Ducks Hockey Club, LLC, is a California Limited Liability Company conducting business in the County of Orange, State of California.
4. The jurisdiction and venue of this Honorable Court is based upon the following:
  - a. 28 U.S.C. Section 1332;
  - b. The amount in controversy is in excess of Seventy-Five Thousand (\$75,000.00) Dollars;
  - c. Plaintiff is a resident of Wayne County, State of Michigan;
  - d. Defendants reside and/or have their principle place of business in the State of California;
  - e. That venue is proper in this Court pursuant to 28 U.S.C. Section 1391 as the Defendants as part of the National Hockey League operate their business within Wayne County, State of Michigan and are subject to the personal jurisdiction of the Court.

#### COMMON ALLEGATIONS

5. That on or about May 14, 2009 and all times material herein, Defendant Bob Murray was employed by the Defendant, The Anaheim Ducks Hockey Club, LLC as its Executive Vice President/General Manager.
6. That on or about May 14, 2009 and at all times material herein, Defendant Bob Murray in the course and scope of his employment as the Executive Vice President/General Manager of the Defendants Anaheim Ducks Hockey Club LLC was working in Wayne County, Michigan as the Defendants, The Anaheim Ducks Hockey Club LLC were competing against The Detroit Red Wings in the Stanley Cup Playoffs series.
8. That on or about May 14, 2009 and at all times material herein, Plaintiff Rachel Paris was working as the TV broadcast stage manager for the telecast and was positioned in close

proximity to the Defendant Anaheim Ducks, LLC management including Defendant Bob Murray.

9. That immediately after the victory by the Detroit Red Wings over the Defendants The Anaheim Ducks, the Defendant Bob Murray, Executive Vice President/General Manager of the Defendant Anaheim Ducks Hockey Club, LLC, in a fit of rage, picked up a high back chair and struck Plaintiff Rachel Paris thereby knocking Plaintiff to the ground.

10. That as a result of said attack upon Plaintiff by Defendant Bob Murray, Executive Vice President/General Manager of the Defendant Anaheim Ducks Hockey Club, LLC, Plaintiff Rachel Paris sustained severe bodily injuries which were painful, disabling and necessitated medical care; in addition thereto, said Plaintiff suffered shock and emotional damage, possible aggravation of pre-existing conditions and/or reactivation of dormant conditions, and was unable to attend to her usual affairs, render services as formerly and hampered said Plaintiff in the enjoyment of the normal pursuit of life as before; said injuries are permanent to the degree that Plaintiff suffered a loss in ability to earn money as before, and will have impaired earning capacity in the future, continued pain and suffering as well as permanency, all as a result of Defendant's negligence as hereinbefore alleged.

COUNT I  
ASSAULT AND BATTERY

11. That Plaintiff hereby incorporates and realleges the previous paragraphs as if set forth herein, as if repeated paragraph by paragraph and word for word.

12. That on or about May 14, 2009 and at all times material herein, Defendant Bob Murray, Executive Vice President/General Manager of Defendant Anaheim Ducks Hockey Club

LLC, intentionally and unlawfully threatened to do bodily harm to Plaintiff Rachel Paris by picking up a high back chair and striking Plaintiff herein.

13. That the threat to Plaintiff Rachel Paris was made under circumstances that created in her a well founded fear of imminent peril.

14. That the Defendant Bob Murray, Executive Vice President/General Manager of Defendant Anaheim Ducks Hockey Club LLC had the apparent ability to carry out the act if not prevented.

15. That the act was not prevented, and Defendant Bob Murray Executive Vice President/General Manager of Defendant, The Anaheim Ducks Hockey Club LLC willfully and intentionally hit Plaintiff with said chair.

16. That as a direct and proximate result of Defendant Bob Murray's assault and battery of Plaintiff Rachel Paris, Plaintiff suffered injury and damage, past, present and future, including but not limited to the following:

- a. pain, suffering, and emotional distress
- b. humiliation, mortification and embarrassment
- c. medical expenses
- d. actual wage loss and lost earning capacity
- e. the necessity to undergo multiple surgeries
- f. permanent disability
- g. other injuries and damages and consequences that are found to be related to the assault and battery that develop or manifest themselves during the course of discovery and trial.

WHEREFORE, Plaintiff Rachel Paris respectfully prays as follows:

- a. This Honorable Court award damages in excess of Seventy-Five Thousand Dollars (\$75,000.00);

- b. Award punitive and/or exemplary damages;
- c. Award actual costs, interest and attorney fees as provided by law; and
- d. Grant such other and further relief as is consistent with the law and which this Honorable Court deems just and proper.

**COUNT II**  
**INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

17. That Plaintiff hereby incorporates and realleges the previous paragraphs as if set forth herein, as if repeated paragraph by paragraph and word for word.

18. That Defendant Bob Murray Executive Vice President/General Manager of Defendant, The Anaheim Ducks Hockey Club LLC and Defendant The Anaheim Ducks Hockey Club, LLC caused the Plaintiff to suffer extreme emotional distress inasmuch as:

- a. their behavior was extreme and outrageous so as to offend a reasonable person;
- b. their conduct was reckless and done with the intent of causing Plaintiff extreme humiliation, and fear;
- c. their conduct has caused Plaintiff to become withdrawn;
- d. their conduct has caused severe emotional distress to the plaintiff requiring psychiatric evaluation and treatment.

19. That as a direct and proximate result of defendant's negligence, the Plaintiff has suffered severe emotional distress, humiliation, embarrassment, anxiety and mental anguish.

WHEREFORE, Plaintiff Rachel Paris respectfully prays as follows:

- a. This Honorable Court award damages in excess of Seventy-Five Thousand Dollars (\$75,000.00);
- b. Award punitive and/or exemplary damages;
- c. Award actual costs, interest and attorney fees as provided by law; and
- d. Grant such other and further relief as is consistent with the law and which this Honorable Court deems just and proper.

**COUNT III**

**NEGLIGENCE OF DEFENDANT THE ANAHEIM DUCKS**

20. That Plaintiff hereby incorporates and realleges the previous paragraphs as if set forth herein, as if repeated paragraph by paragraph and word for word.

21. That on May 14, 2009 and at all times material herein, Defendant Bob Murray was an agent/employee of the Defendant The Anaheim Ducks Hockey Club, LLC.

22. That the Defendant, The Anaheim Ducks Hockey Club, LLC, has a duty to select, employ, train and monitor its employees, servants, agents, ostensible agents and/or its staff, to insure they were competent to perform their job and able to control their emotions and not engage in physical attacks thereby endangering the health and well being of others in their vicinity.

23. That the Defendant The Anaheim Ducks Hockey Club had a duty to ensure that appropriate policies and procedures are adopted and followed to ensure that their employees were reasonable and emotionally stable so as not to endanger the safety and physical well being of innocent bystanders.

24. That the Defendants The Anaheim Ducks Hockey Club LLC had a duty to ensure that their employees did not have a propensity to violence and to ensure that employees with a history of aggressive and violent behavior were properly supervised so as not to endanger others.

25. That the Defendants, The Anaheim Ducks Hockey Club LLC, knew or should have known of the propensity of violence of the Defendant Bob Murray and they had a duty to Plaintiff to ensure that proper measures and protocols were in place to help curtail Defendant Bob Murray's violent and aggressive nature so he would not be a danger to those around him. The Defendant, The Anaheim Ducks Hockey Club, LLC breached this duty.

26. That as a result of the breach of said duty by Defendant, The Anaheim Ducks Hockey Club, LLC the Plaintiff Rachel Paris sustained severe bodily injuries which were painful, disabling and necessitated medical care; in addition thereto, said Plaintiff suffered shock and emotional damage, possible aggravation of pre-existing conditions and/or reactivation of dormant conditions, and was unable to attend to her usual affairs, render services as formerly and hampered said Plaintiff in the enjoyment of the normal pursuit of life as before; said injuries are permanent to the degree that Plaintiff suffered a loss in ability to earn money as before, and will have impaired earning capacity in the future, continued pain and suffering as well as permanency, all as a result of Defendant's negligence as hereinbefore alleged.

WHEREFORE, Plaintiff Rachel Paris respectfully prays as follows:

- a. This Honorable Court award damages in excess of Seventy-Five Thousand Dollars (\$75,000.00);
- b. Award punitive and/or exemplary damages;
- c. Award actual costs, interest and attorney fees as provided by law; and
- d. Grant such other and further relief as is consistent with the law and which this Honorable Court deems just and proper.

**COUNT IV**

**VICARIOUS LIABILITY OF DEFENDANT THE ANAHEIM DUCKS HOCKEY CLUB,  
LLC**

27. That Plaintiff hereby incorporates and realleges the previous paragraphs as if set forth herein, as if repeated paragraph by paragraph and word for word.

28. That the Defendant, Bob Murray acted negligently, grossly negligently, recklessly and with a wanton disregard for the safety of others when he committed the assault and battery of Plaintiff on May 14, 2009, and the Defendants, The Anaheim Ducks Hockey Club, LLC as his employer are liable for all injuries directly and proximately caused by

- a. Intentional wrongful acts of its employees and/or agents committed during the course of employment;
- b. Intentional, willful and wanton, reckless, deliberately indifferent, grossly negligent and/or negligent acts committed by its employees and/or agents;

WHEREFORE, Plaintiff Rachel Paris respectfully prays as follows:

- a. This Honorable Court award damages in excess of Seventy-Five Thousand Dollars (\$75,000.00);
- b. Award punitive and/or exemplary damages;
- c. Award actual costs, interest and attorney fees as provided by law; and
- d. Grant such other and further relief as is consistent with the law and which this Honorable Court deems just and proper.

**FREDERIC M. ROSEN, P.C.**

s/Frederic M. Rosen  
Frederic M. Rosen, P.C.  
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P19625

Dated: March 2, 2010

**JURY DEMAND**

NOW COMES Plaintiff, Rachel Paris, by her attorneys Frederic M. Rosen, P.C., and hereby demands a Trial by Jury in the above entitled cause.

**FREDERIC M. ROSEN, P.C.**

s/Frederic M. Rosen  
Frederic M. Rosen, P.C.  
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Dated: March 2, 2010