

22ND JUDICIAL DISTRICT COURT FOR THE PARISH OF ST TAMMANY
STATE OF LOUISIANA

NUMBER: 2018-11832

SECTION: F

LORI NORTHCUTT

versus

APPLE, INC.

FILED: April 19, 2018


DEPUTY CLERK

PETITION FOR DAMAGES

The petition of **LORI NORTHCUTT**, a full age resident of and domiciled in the Parish of St. Tammany, State of Louisiana, with respect represents:

1.

That the Defendant, APPLE, INC., corporation, organized and chartered under the laws of a state other than the State of Louisiana, but authorized to do and doing business in the State of Louisiana and, more particularly, the Parish of St. Tammany.

2.

That the Defendant is justly and truly indebted unto your Petitioner for such damages as are reasonable under the circumstances, together with legal interest thereon from date of judicial demand, until paid, for the following, to-wit:

3.

That at all times mentioned herein, the said Apple, Inc., sold for use and consumption by the citizens of the State of Louisiana and, more particularly, the Parish of St. Tammany, a certain watch described as a wristwatch; that your petitioner purchased same in the parish of her domicile.

4.

That on or about April 15, 2017, at approximately 6:00 p.m., your petitioner, LORI NORTHCUTT, noticed and felt pain about the wrist and forearm and noticed that there was severe burning in the area of her wrist and forearm at the site where the watch had been on petitioner's wrist area prior to the noticing of the severe burn.

5.

That Petitioner's injuries and resulting damages were proximately and solely caused by the negligent acts of omission and commission the Defendant, APPLE, INC., including the following, among others which will be shown at the time of the trial above:

- (1). Negligent design of the aforementioned watch precipitating severe burns to petitioner's wrist and forearm;
- (2). Negligent construction, composition, and manufacturing of the said wristwatch which severely burned your petitioner's wrist and forearm;
- (3). In failing to adequately warn petitioner of the propensity of the said wristwatch to cause severe burns at the site that the wristwatch was worn;
- (4). Failure to conform to an expressed warranty of a manufacturer;
- (5). Failure to properly notify and warn petitioner regarding the history of the said wristwatch to inflict and cause the injuries sued upon herein.

6.

That as a direct and proximate cause of the aforementioned collision and negligent acts of the defendant, **APPLE, INC.** your Petitioner, **LORI NORTHCUTT** sustained the following injuries:

1. Severe burns about the wrists and forearm, necessitating medical care;
2. Emotional upset and distress.

7.

Petitioner, LORI NORTHCUTT, itemizes her damages as follows:

Past, present and future pain & suffering, residual and/or permanent disability; past, present and future, emotional upset, distress, and mental anguish; and past, present and future medical bills, doctor bills, hospital and drug expenses.

Plaintiff prays for those damages which are just and reasonable under the facts and circumstances of this matter.

8.

Petitioner's cause of action is brought pursuant to the Louisiana Long Arm Statute.

9.

That the amounts demanded herein are ***less*** than the minimum amounts required for a trial by jury.

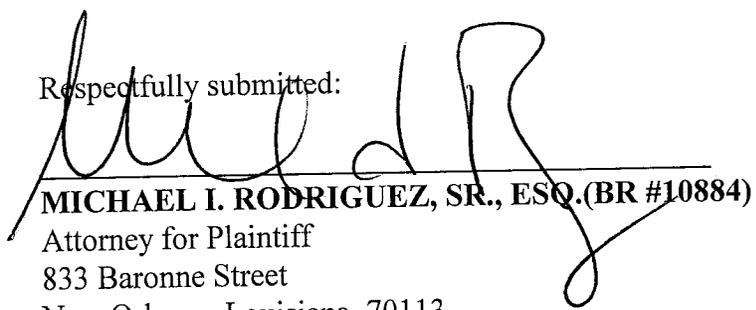
10.

Attached hereto is a stipulation regarding the above.

WHEREFORE, Petitioner prays that the Defendant is served with a copy of this

Petition; that they be duly cited to appear and answer same, and after due proceedings had, there be judgment herein in favor of your Petitioner, **LORI NORTHCUTT**, in an amount which would be just and reasonable under the facts and circumstances of this case; and against the Defendant, **APPLE, INC.**, together with legal interest thereon from date of judicial demand, until paid, for all costs of these proceeding and for all general and equitable relief.

Respectfully submitted:



MICHAEL I. RODRIGUEZ, SR., ESQ. (BR #10884)
Attorney for Plaintiff
833 Baronne Street
New Orleans, Louisiana 70113
Telephone (504) 588-1110
Facsimile: (504) 588-1954

PLEASE SERVE:

- 1). **APPLE, INC.**
Pursuant to the Louisiana Long-Arm Statute
One Apple Park Way
Cupertino, CA 950141