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8 **DISTRICT COURT**
9 **CLARK COUNTY, NEVADA**

11 MICHAEL FEDERICO,

13 Plaintiff

15 vs.

16 JOHNATHAN PAUL MANZIEL, an
17 individual and DOES I through X; and
18 ROE CORPORATIONS A through J,
inclusive.

19 Defendants

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) Case No.: A-17-755764-C
) Dept No.: Department 24
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) **COMPLAINT FOR DAMAGES**
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22 **COMES NOW**, the Plaintiff, MICHAEL FEDERICO, by and through his attorney,
23 DUSTIN R. MARCELLO, ESQ., and OSVALDO E. FUMO, ESQ., of the law firm of PITARO
24 & FUMO, CHTD., hereby complains and alleges as follows:
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JURISDICTIONAL STATEMENT

1. At all times mentioned herein, Plaintiff, MICHAEL FEDERICO (“FEDERICO”), as an individual, was a resident of Clark County, State of Nevada.
2. At all times mentioned herein, Defendant JOHNATHAN MANZIEL (“MANZIEL”), an individual was a resident of Ohio or California.
3. At all times mentioned herein, the witnesses, evidence, and events in support of the claims, took place in Clark County, Nevada.
4. That all times herein, the true identities of Defendants, DOES I through X, inclusive, and ROE CORPORATIONS A through J, inclusive, are unknown at the present time; however, it is alleged and believed that each Defendant designated herein as a DOE or ROE CORPORATION are responsible in some manner for the events and happenings referred to and caused damage proximately to Plaintiff as herein alleged and that Plaintiff will ask leave of this Court to amend this Complaint to insert the true names and capacities of Defendant DOES I through X, inclusive, and ROE CORPORATIONS A through J, inclusive when the same as been ascertained by the Plaintiffs, together with the appropriate charging allegations, and to join such Defendant in this action.
5. On or about May 21, 2016, FEDERICO was at the Jewel Nightclub inside of the Aria Hotel and Casino, in Las Vegas, Nevada.
6. Jewel Nightclub is a multi-faceted nightclub with a luxurious, modern experience and world class DJs and performers.

1 7. On or about May 21, 2016, FEDERICO was working as an independent host and had
2 made arrangements for VIP customers to have a private table in the VIP section of the
3 nightclub.

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5 8. During all times relevant hereto, FEDERICO ran an independent business coordinating
6 VIP services at hotels and clubs on behalf of private persons who would pay for
7 FEDERICO's services.

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9 9. On or about May 21, 2016, MANZIEL was also a patron at the Jewel Nightclub inside
10 of the Aria Hotel and Casino, in Las Vegas, Nevada in Clark County.

11 10. Based upon information and belief, MANZIEL's table was immediately behind
12 FEDERICO's the private table area FEDERICO had arranged for his VIP customers.

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14 11. Another individual believed to be Vonnie B'Vsean Miller Jr. ("Von Miller") arrived at
15 the club and was talking to MANZIEL. During this conversation MANZIEL was
16 standing and leaning across FEDERICO's guests obstructing their use and enjoyment
17 of their assigned private table area.

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19 12. FEDERICO asked MANZIEL to leave because his guests had paid and arranged for the
20 private table area. Based upon information and belief, MANZIEL was extremely drunk
21 and belligerent and responded "Fuck you and your guests faggot, don't you know who
22 the fuck I am?"

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1 13. Based upon information and belief, Von Miller apologized and attempted to defuse the
2 situation by directing MANZIEL to his table, however, MANZIEL refused to go back
3 to his table and instead repeated "Fuck this punk, doesn't he know who I am?" To
4 which, FEDERICO responded, "I'm just doing my job but your nobody to me", at
5 which point MANZIEL punched FEDERICO in the face, head, neck, and body area
6 multiple times.

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8 14. Security for Jewel Nightclub stopped the assault and removed MANZIEL from the club
9 shortly thereafter.

10 15. FEDERICO would be assessed by a Board Certified Neurologist shortly thereafter and
11 determined to have suffered a traumatic brain injury causing post-concussive balance
12 impairment and post-concussive headaches.

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14 16. As a result of the insults, physical attack, and circumstances of having VIP customers
15 involved in this incident, FEDERICO, also suffered a significant loss of business and
16 clientele.

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18 17. Accordingly, FEDERICO makes the following claims for relief:

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FIRST CLAIM FOR RELIEF
(ASSAULT AND BATTERY)

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3 18. FEDERICO repeats and realleges the allegations contained in paragraphs 1 through 17,
4 inclusive, and incorporate them by reference as though the same were more fully set
5 forth herein and further allege:

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7 19. MANZIEL punched FEDERICO in the head, face, neck, and body area causing a
8 traumatic brain injury. FEDERICO was aware of the battery and was in reasonable
9 apprehension of the ensuing bodily harm.

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11 20. As a result of the attack, FEDERICO suffered post-concussive headaches, cognitive
12 deficits, and post-concussive balance impairment.

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14 21. FEDERICO has suffered special damages, pain and suffering, lost income, economic
15 damages, lost enjoyment, and any and all other damages allowable based on the claims
16 alleged herein pursuant to common law or statute in an amount in excess of \$10,000.

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18 22. FEDERICO has been required to retain the services of legal counsel to pursue this action
19 on his behalf and should be reimbursed for reasonable attorney fees and costs of this
20 action, and prejudgment interest herein.

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SECOND CLAIM FOR RELIEF

(INTENTIONAL INTERFERENCE WITH BUSINESS RELATIONSHIPS)

23. FEDERICO repeats and realleges the allegations contained in paragraphs 1 through 22, inclusive, and incorporate them by reference as though the same were more fully set forth herein and further allege:

24. FEDERICO asked MANZIEL to leave the area of his customers private VIP table as part of his duties as an independent VIP host. The VIP customers had specifically paid to have a private table arranged in the nightclub

25. Before he was attacked, FEDERICO told MANZIEL he was simply doing his job to ensure the VIP customers were provided with the private area they had paid for, just as MANZIEL had expected in his table area.

26. In response, MANZIEL referred to FEDERICO with a homophobic slur and insulted his VIP customers before punching FEDERICO in the face.

27. Independent VIP hosts obtain business and rely almost exclusively on word of mouth to generate new business and build a reputation.

28. Because of the incident and insults against him and his customers, FEDERICO suffered loss of client trust, reputation, and future business relationships resulting in significant economic damages.

29. FEDERICO has suffered special damages, loss future income, loss of economic opportunity and business relations, and any and all other damages allowable based on the claims alleged herein pursuant to common law or statute in an amount in excess of \$10,000.

30. FEDERICO has been required to retain the services of legal counsel to pursue this action on her behalf and should be reimbursed for reasonable attorney fees and costs of this action, and prejudgment interest herein.

