

**HAMILTON COUNTY COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO**

**DAVID EDWARDS, SR.
6056 Taylor Drive, Apt. 14
Burlington, KY 41005**

Plaintiff,

v.

**A.P. ASSOCIATES dba BOGART'S
24602 Meldon Blvd.
Beachwood, Ohio 44122**

**LIVE NATION WORLDWIDE, INC.
9348 Civic Center Drive
Beverly Hills, CA 90210**

**HOUSE OF BLUES
ENTERTAINMENT, INC.
9348 Civic Center Drive
Beverly Hills, CA 90210**

**TENABLE PROTECTIVE SERVICES
5643 Cheviot Road #5
Cincinnati, Ohio 45247**

**SUPERJOINT c/o LIVE NATION
WORLDWIDE, INC.
9348 Civic Center Drive
Beverly Hills, CA 90210**

**PHIL ANSELIN c/o LIVE NATION
WORLDWIDE, INC.
9348 Civic Center Drive
Beverly Hills, CA 90210**

**HANK WILLIAMS III c/o LIVE
NATION WORLDWIDE, INC.
9348 Civic Center Drive
Beverly Hills, CA 90210**

Defendants.

Case No. **A 1 7 0 2 4 7 5**

(J. _____)

**COMPLAINT WITH JURY
DEMAND ENDORSED
HEREON**

**COPY FILED
CLERK OF COURTS
HAMILTON COUNTY**

MAY - 4 2017

**AFTAB PUREVAL
COMMON PLEAS COURTS**

Comes now Plaintiff, David Edwards, Sr. ("Plaintiff"), and for his Complaint against defendants, states as follows:

COMMON FACTS

1. On or about July 14, 2015, Plaintiff, was an invitee at a music concert held at Bogart's in Clifton, Hamilton County, Ohio.
2. At the time of the concert, defendant, A.P. Associates ("A.P. Associates") was doing business as Bogart's in Clifton.
3. Leading up to and at the time of the concert, defendants, Live Nation Worldwide, Inc. ("Live Nation") and/or defendant, House of Blues Entertainment, Inc. ("House of Blues"), were the promoter(s) for the concert.
4. Defendant, Superjoint ("Superjoint"), was the musical entertainment on July 14, 2015, provided to Bogart's by Live Nation and/or House of Blues.
5. Two of Superjoint's members that night were defendants, Phil Anselmo ("Anselmo") and Hank Williams III ("Williams").
6. Hired to provide security at Bogart's that night was defendant, Tenable Protective Services ("Tenable Protective").
7. During the concert, Plaintiff requested Superjoint to stop talking and sing, and otherwise had a dialogue with Superjoint; apparently in response to Plaintiff's request/dialogue, Superjoint, by and through Anselmo and Williams, incited the crowd to violence, eventually resulting in Plaintiff being assaulted by numerous unidentified concertgoers, causing Plaintiff serious personal injury.

FIRST CLAIM (against A.P. Associates, Live Nation and House of Blues)

8. Plaintiff incorporates by reference as if fully rewritten herein paragraphs 1 through 7 of his complaint.
9. A.P. Associates, Live Nation and/or House of Blues owed Plaintiff a duty of reasonable care to render the Bogart's premises as safe for invitees such as Plaintiff, including a duty to protect Plaintiff against actions by Superjoint, Anselmo and Williams that incited concertgoers to acts of violence against him.
10. A.P. Associates, Live Nation and/or House of Blues failed to meet their duty of reasonable care as referenced in paragraph 9, above, and are therefore negligent.
11. As a direct and proximate result of the negligence of A.P. Associates, Live Nation and/or House of Blues, Plaintiff sustained multiple physical injuries.
12. As a direct and proximate result of the negligence of A.P. Associates, Live Nation and/or House of Blues, Plaintiff received medical care and will in the future receive medical care as a result of his injuries.
13. As a direct and proximate result of the negligence of A.P. Associates, Live Nation and/or House of Blues, Plaintiff has suffered, and will suffer in the future, physical and mental pain and suffering, permanent impairment and loss of enjoyment of life as a result of his injuries.
14. As a direct and proximate result of the negligence of A.P. Associates, Live Nation and/or House of Blues, Plaintiff has incurred and will in the future incur, medical expenses for related care and treatment for his injuries.
15. As a direct and proximate result of the negligence of A.P. Associates, Live Nation and/or

House of Blues, Plaintiff has suffered damages in an amount exceeding \$25,000.00.

SECOND CLAIM (against Superjoint, Anselmo and Williams)

16. Plaintiff incorporates by reference as if fully rewritten herein paragraphs 1 through 15 of his complaint.
17. Superjoint, Anselmo and Williams, as a result of their actions inciting the concertgoers to violence against Plaintiff violated O.R.C. section 2917.01 and as a result are subject to a civil lawsuit to recover full damages, including costs, punitive damages and attorney's fees pursuant to O.R.C. section 2307.60, including (a) damages in this case for multiple physical injuries, (b) past, present and future medical care as a result of his injuries, (c) past, present and future physical and mental pain and suffering, permanent impairment and loss of enjoyment of life as a result of his injuries, and (d) past, present and future medical expenses for related care and treatment for his injuries.
18. As a direct and proximate result of the actionable conduct of Superjoint, Anselmo and Williams, Plaintiff has suffered damages in an amount exceeding \$25,000.00.

THIRD CLAIM (against Tenable Protective)

19. Plaintiff incorporates by reference as if fully rewritten herein paragraphs 1 through 18 of his complaint.
20. Tenable Protective owed Plaintiff a duty of reasonable care to provide adequate security/protective services to prevent personal injury to Plaintiff while at the Superjoint concert at issue on July 14, 2015.
21. Tenable Protective failed to meet their duty of reasonable care as referenced in paragraph 20, above, and is therefore negligent.


22. As a direct and proximate result of the negligence of Tenable Protective, Plaintiff sustained multiple physical injuries.
23. As a direct and proximate result of the negligence of Tenable Protective, Plaintiff received medical care and will in the future receive medical care as a result of his injuries.
24. As a direct and proximate result of the negligence of Tenable Protective, Plaintiff has suffered, and will suffer in the future, physical and mental pain and suffering, permanent impairment and loss of enjoyment of life as a result of his injuries.
25. As a direct and proximate result of the negligence of Tenable Protective, Plaintiff has incurred and will in the future incur, medical expenses for related care and treatment for his injuries.
26. As a direct and proximate result of the negligence of Tenable Protective, Plaintiff has suffered damages in an amount exceeding \$25,000.00.

WHEREFORE, Plaintiff demands as follows:

- (a) judgment against A.P. Associates, Live Nation and House of Blues, and an award for compensatory damages in an amount in excess of \$25,000.00, costs, pre-judgment interest, post-judgment interest, attorney's fees, and any and all other such relief available under Ohio law;
- (b) judgment against Superjoint, Anselmo and Williams, and an award for compensatory damages in an amount in excess of \$25,000.00, punitive damages, costs, pre-judgment interest, post-judgment interest, attorney's fees, and any and all other such relief available under Ohio law; and

(c) judgment against Tenable Protective, and an award for compensatory damages in an amount in excess of \$25,000.00, costs, pre-judgment interest, post-judgment interest, attorney's fees, and any and all other such relief available under Ohio law.

Respectfully submitted,


TERRENCE M. GARRIGAN (0039272)
Attorney for Plaintiff
6680 Tupelo Lane
Cincinnati, Ohio 45243
(513) 241-7406;
(513) 651-7260 (FAX)
tgarrigan@cinci.rr.com

JURY DEMAND

Plaintiff demands a trial by jury of all issues so triable.


TERRENCE M. GARRIGAN (0039272)

INSTRUCTIONS TO CLERK

Please serve a copy of the foregoing upon each defendant, via certified mail, return receipt requested.


TERRENCE M. GARRIGAN (0039272)