

THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

LISA KERI STRICKLIN )  
Plaintiff )  
 )  
v. )  
 ) Case No. 17 \_\_\_\_\_  
GWEN STEFANI and )  
LIVE NATION )  
ENTERTAINMENT, INC. )  
 )  
Defendants )  
 )  
\_\_\_\_\_ )

COMPLAINT

The Plaintiff brings this suit against Defendants seeking damages arising from negligence resulting in injuries Plaintiff sustained while attending a music concert at the PNC Music Pavilion (hereinafter referred to as “PNC Pavilion”) located in Charlotte, North Carolina.

BASIS FOR JURISDICTION

1. Plaintiff is a citizen and resident of Mecklenburg County, North Carolina.
2. Defendant Gwen Stefani (hereinafter referred to as “Stefani”) is, upon information and belief, a citizen and resident of Los Angeles County, California.

3. Defendant Live Nation Entertainment, Inc. (hereinafter referred to as “Live Nation”) is a corporation duly organized in Delaware and registered and doing business in Mecklenburg County, North Carolina.
4. The amount in controversy in this action exceeds \$75,000.00.
5. Pursuant to 28 U.S.C. § 1332 this Court has jurisdiction to hear this case under diversity of citizenship.

### INTRODUCTORY FACTS

6. The preceding allegations are incorporated herein by reference as though fully set out.
7. During all times as herein alleged Live Nation owned and/or leased, and had booking rights for and/or had an equity interest in PNC Pavilion.
8. PNC Pavilion has a patron seating capacity of approximately 18,768, including approximately 8,614 reserved theatre-style seats situated in front of the performing stage (hereinafter referred to as the “reserved seating area”) and approximately 10,154 spaces on the lawn to the rear of the reserved area (hereinafter referred to as the “lawn seating area”) where blankets and lawn chairs are permitted, with lawn chairs available for rental.

9. PNC Pavilion provides for the sale of alcoholic beverages for patrons presenting proper identification as to minimal age North Carolina state law requirements.
10. Live Nation booked Stefani to perform a musical concert at PNC scheduled for July 23, 2016.
11. Plaintiff obtained a ticket in the reserved area, in section 7, row v, seat 20, to attend the July 23, 2016 concert performance, accompanied by several friends, in celebration of her birthday.
12. Plaintiff attended Stefani's concert on July 23, 2016, accompanied by several of her friends, and took her seat in the reserved area.
13. Plaintiff did not consume alcoholic beverages, or any other intoxicating substance, while attending the concert and/or while on the PNC Pavilion premises on July 23, 2016.
14. Upon information and belief, the danger of crowd rushing resulting in injuries to patrons, and the related necessity to therefore manage crowd control at music venues to prevent crowd rushing resulting in patron injuries, is well known throughout the nationwide music venue security industry, including the security Live Nation provided for the PNC Pavilion during Stefani's July 23, 2016 concert.

15. In part to manage crowd control, PNC Pavilion security positions barricades, ropes, and other matter to separate the reserved seating area from the lawn seating area. These security measures were in place and being utilized during Stefani's music concert on July 23, 2016.
16. During the course of and in the midst of Stefani's musical performance, Stefani unilaterally announced via her microphone and the loud speakers throughout PNC Pavilion that all patrons in the lawn seating area should come to the reserved seating area and the front of the performance stage, including announcing "Just fill in anywhere you like! Who cares about your lawn chairs? You can get new ones!" This announcement created a stampede rush of patrons from the lawn seating area through the reserved seating area and toward the front of the performance stage, with people knocking over and breaching the security barricades and other security matter, jumping over seats in the reserved seating area, and pouring in through the aisles separating the various sections of the reserved seating area.
17. During the stampede rush the Plaintiff was trampled by the rush of patrons and into a wall along the reserved seating area, causing her severe physical injuries, including but not limited to a broken tibia in one of her legs.

18. After the patron crowd rush and the resulting injury to the Plaintiff, Stefani announced through her microphone and the loud speakers throughout PNC Pavilion that “I got in so much trouble for telling you guys to come up here!”

FIRST CLAIM FOR RELIEF AGAINST STEFANI: NEGLIGENCE

19. The preceding allegations are incorporated herein by reference as though fully set out.

20. Stefani was negligent in performing acts that a person of ordinary prudence in the same or similar circumstances would not have done, and breached a duty of care owed to the Plaintiff, as follows:

- a. She encouraged and requested in the midst of the July 23, 2016 musical concert that patrons in the lawn area of PNC Pavilion come to the performance stage, causing a foreseeable stampede crowd rush to the performance stage through the reserved seating area; and
- b. Failed to exercise due care with respect to the matters as herein alleged.

21. As a direct and proximate result of Stefani’s negligence, Plaintiff sustained serious bodily injuries, including but not limited to breaking her tibia in one of her legs, and she has incurred necessary medical treatment

for her injuries, including surgery; and she has suffered pain and suffering and extreme mental anguish, as well as has incurred damages related to medical bills, lost earnings, and the injury to her broken leg is permanent, and she will require future medical treatment and will incur future medical bills, pain and suffering, mental anguish, and lost earnings in the future, as well as other recoverable damages.

22. Plaintiff is entitled to compensatory damages from Stefani in an amount in excess of \$75,000.00.

SECOND CLAIM FOR RELIEF AGAINST LIVE NATION:  
NEGLIGENCE

23. The preceding allegations are incorporated herein by reference as though fully set out.

24. Live Nation was negligent in failing to perform acts that a person of ordinary prudence in the same or similar circumstances would not have failed to perform, and breached a duty of care owed to the Plaintiff, as follows:

- a. By failing to properly supervise Stefani during the July 23, 2016 concert at PNC Pavilion so as to prevent her from engaging in her negligent acts that resulted in the stampede rush as alleged herein; and

b. Failed to exercise due care with respect to the matters as herein alleged.

25. As a direct and proximate result of Live Nation's negligence, Plaintiff sustained serious bodily injuries, including but not limited to breaking her tibia in her left leg, and she has incurred necessary medical treatment for her injuries, including surgery; and has suffered pain and suffering and extreme mental anguish, as well as has incurred damages related to medical bills, lost earnings, and has been informed that her injury to her leg is permanent, and that she will require future medical treatment and will incur future medical bills, pain and suffering, mental anguish, and lost earnings in the future, as well as other recoverable damages.

26. Plaintiff is entitled to compensatory damages from Live Nation in an amount in excess of \$75,000.00.

THIRD CLAIM FOR RELIEF AGAINST STEFANI: PUNITIVE DAMAGES

27. The preceding allegations are incorporated herein by reference as though fully set out.

28. Stefani's negligent acts as alleged herein constitutes gross negligence, as it amounted to wantonness, willfulness, or evidenced a reckless

indifference to the consequences of her acts, entitling the Plaintiff to punitive damages.

WHEREFORE, the Plaintiff prays for relief against the Defendants as follows:

1. For judgment against Stefani for compensatory damages for negligence in an amount in excess of \$75,000.00;
2. For judgment against Live Nation for compensatory damages for negligence in an amount in excess of \$75,000.00;
3. For judgment against Stefani for punitive damages;
4. That all issues so triable in this action be tried before a jury;
5. That Stefani and Live Nation be taxed with the costs of this action; and
6. For such other and further relief as this Court may deem just and proper.

This, the 7<sup>th</sup> day of July, 2017.

ECONOMOS LAW FIRM, PLLC

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