

**STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE**

TRICE III, OBIE, an individual,

Plaintiff,

Hon.

Civil Case No.: 18- -NO

v.

G4S SECURE SOLUTIONS USA, INC., a corporation,
MARRIOTT INTERNATIONAL, INC., a corporation,
DETROIT HOTEL SERVICES, INC., a corporation, and
JOHN DOES 1 through 5,

18-000993-NO

FILED IN MY OFFICE
WAYNE COUNTY CLERK
1/25/2018 2:51:39 PM
CATHY M. GARRETT

Defendants.

***COMPLAINT AND
DEMAND FOR JURY TRIAL***

THE HARFOUCH LAW FIRM, PLLC
Nadeem Noah Harfouch (P76362)
Farris F. Haddad (P71538)
631 East Big Beaver Road, Suite 211
Troy, MI 48083
Ph: 248-274-6529
Fax: 248-850-2424
nharfouch@harfouchlaw.com

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

COMPLAINT AND JURY DEMAND

NOW COMES Plaintiff, Obie Trice III, by and through his counsel, The Harfouch Law Firm, PLLC, and he hereby asserts this Complaint against G4S Secure Solutions USA, Inc., Marriott International, Inc., Detroit Hotel Services, Inc., and security officers John Does 1 through 5 (collectively referred to as "Defendants"), based on the following:

JURISDICTIONAL ALLEGATIONS

1. Obie Trice ("Plaintiff") is a resident of the County of Oakland, State of Michigan.

2. Defendant G4S Secure Solutions USA, Inc. ("Defendant G4S") is a corporation that conducts business and security services in the County of Wayne, State of Michigan.

3. Defendant Marriott International, Inc. ("Defendant Marriott") is a corporation that conducts business and provides services in the County of Wayne, State of Michigan.

4. Defendant Detroit Hotel Services, Inc. ("Defendant Detroit Hotel") conducts business and provides services in the County of Wayne, State of Michigan.

5. Defendants John Does 1 through 5's residency is unknown at this time, and will be made available through discovery at a later date.

6. The personal injuries caused by Defendants and John Does 1 through 5 ("John Does 1 through 5") occurred in the County of Wayne, State of Michigan.

7. The amount in controversy is within the jurisdiction of this Court since Plaintiff claims damages in excess of Twenty-Five Thousand (\$25,000.00) Dollars.

GENERAL ALLEGATIONS

8. Plaintiff reasserts and incorporates by reference Paragraphs 1 through 7 of this Complaint as though fully stated herein.

9. Plaintiff is a well-known, African-American, artist and entertainer, widely recognized across the globe for his multi-platinum album "Cheers," and his many collaborations with notable artists such as Eminem, Dr. Dre, Akon, 50 Cent, and Busta Rhymes, among others.

10. Upon information and belief, Defendant G4S is a corporation that provides security services, whom negligently hired, trained or employed Defendants John Does 1 through 5.

11. Upon information and belief, Defendant Marriot owns or operates the Marriott Hotel at the Renaissance Center in Detroit, Michigan, and negligently hired, trained, or employed Defendants G4S and John Does 1 through 5.

12. Upon information and belief, Defendant Detroit Hotel Services, owns or operates the Marriott Hotel at the Renaissance Center in Detroit, Michigan, and negligently hired, trained, or employed Defendants G4S and John Does 1 through 5.

13. Upon information and belief, Defendants John Does 1 through 5 were employees or agents of Defendants G4S, Marriott, and Detroit Hotel.

14. That on or about April 16, 2017, Plaintiff and some friends visited the Marriott located in the Renaissance Center in Detroit, Michigan (the "Hotel").

15. Upon arriving at the Hotel, Plaintiff's friend sought use of a restroom, at which time Plaintiff accompanied her.

16. Upon information and belief, Plaintiff was targeted and profiled, based on Plaintiff's race and color, by Hotel security whom were negligently hired, trained or employed by Defendants.

17. Plaintiff was confronted by John Doe 1, a male individual, and was told that the restrooms were for Hotel guests, to which Plaintiff responded, he would be obtaining a room at the Hotel.

18. Plaintiff was then approached by other John Does, and was badgered, taunted, and followed throughout the Hotel after stating his intent to get a room at the Hotel.

19. While discussing room rates with the Hotel's concierge, John Does 1 through 5 continued to taunt and disrespectfully address Plaintiff, at which time it became apparent to Plaintiff, that John Does 1 through 5 were instigating a confrontation with Plaintiff due to his race or color, among other things.

20. Plaintiff, confused by the situation, alerted the Hotel concierge that he no longer wished to stay at the Hotel, and that he would be leaving.

21. During Plaintiff's attempt to exit the Hotel, John Does 1 through 5, who were equipped with tasers and mace, ambushed Plaintiff without cause, and brutally attacked him.

22. Plaintiff was assaulted with excessive force, sprayed with mace, and handcuffed by John Does 1 through 5.

23. Plaintiff, after being beaten and restrained, was then humiliatingly dragged through the Hotel and detained in a small room without medical attention or treatment.

24. The torturous treatment of Plaintiff lasted for several hours as he continued to choke and feel burning from the mace to his face.

25. To make matters worse, while Plaintiff was handcuffed, Defendants choked Plaintiff by pouring water over his nose and mouth.

26. At all relevant times, John Does 1 through 5 were acting in the scope of their employment while torturing and falsely imprisoning Plaintiff.

27. Plaintiff is informed and believes that Defendants failed to implement adequate safety standards and policies to support safe execution of security personnel duties.

28. Defendants owed Plaintiff a duty of care. Particularly the duty to act responsible and reasonable.

29. Defendants breached that duty owed to Plaintiff by permitting security-personnel conduct to fall below the required standard of care.

30. Defendants were the factual and proximate cause of the harm and damages suffered by the Plaintiff.

31. Plaintiff suffered damages including, but not limited to, anxiety, humiliation, shock, embarrassment, emotional trauma, and physical pain and suffering.

COUNT I – NEGLIGENCE

32. Plaintiff reasserts and incorporates by reference Paragraphs 1 through 31 of this Complaint as though fully stated herein.

33. At all relevant times herein, Plaintiff was acting in a reasonable prudent manner.

34. Plaintiff is informed and believes that the Defendants owed the Plaintiff certain duties of care, as set forth above, among other duties of care.

35. Plaintiff is informed and believes that the Defendants negligently breached their duties of care.

36. Plaintiff is informed and believes that as a result of each Defendant's breach of their respective duties of care, Plaintiff has suffered, without limitation, physical, emotional, and financial harm, among other damages.

37. Plaintiff is informed and believes that each Defendant's breach of their respective duties of care was a substantial factor in causing the Plaintiff's harm and damages.

38. As a direct and proximate result of the Defendants' negligent acts, Plaintiff sustained injuries including, but not limited to, anxiety, humiliation, shock, embarrassment, emotional trauma, and physical pain and suffering, among other damages.

COUNT II – VICARIOUS LIABILITY AS TO DEFENDANT G4S, DEFENDANT MARRIOTT, and DEFENDANT DETROIT HOTEL

39. Plaintiff reasserts and incorporates by reference paragraphs 1 through 38 of this complaint as though fully stated herein.

40. At all relevant times, John Does 1 through 5 were employees or agents of Defendant G4S, Defendant Marriott, and Defendant Detroit Hotel.

41. John Does 1 through 5 were under Defendant G4S', Defendant Marriot's, and Defendant Detroit Hotel's direct supervision, employ and control when they committed the wrongful and negligent acts described herein.

42. John Does 1 through 5 engaged in this conduct while acting the course and scope of employment with Defendant G4S, Defendant Marriot, and Defendant Detroit Hotel and/or accomplished the assault, battery, intentional infliction of emotional distress, and false imprisonment by virtue of their job-created authority.

43. Defendant G4S, Defendant Marriot, and Defendant Detroit Hotel granted authority to John Does 1 through 5 to perform as an employee.

44. Defendant G4S, Defendant Marriot, and Defendant Detroit Hotel held John Does 1 through 5 out to the community as fit and competent employees of Defendant G4S, Defendant Marriot, and Defendant Detroit Hotel.

45. John Does 1 through 5 committed the acts alleged within the authority arising from their employment, and said conduct was undertaken in the course and scope of John Does 1 through 5's employment and was backed by Defendant G4S, Defendant Marriot, and Defendant Detroit Hotel.

46. John Does 1 through 5 were acting at least in part to serve the interests of their employer when they committed the acts alleged herein. Specifically, John Does 1 through 5 were acting as security personnel, as well as using the trust, power and authority of the position granted when they committed the acts alleged herein.

47. By using their position and the trust, power and authority of the position conferred on them, John Does 1 through 5 purported to act on behalf of Defendant G4S, Defendant Marriot, and Defendant Detroit Hotel when they committed the tortious acts alleged herein.

48. John Does 1 through 5 conducted their tortious conduct during employment by Defendant G4S, Defendant Marriot, and Defendant Detroit Hotel while providing security services.

49. Defendant G4S, Defendant Marriot, and Defendant Detroit Hotel are liable for the negligent and wrongful conduct of John Does 1 through 5 under the law of vicarious liability, including the doctrine of respondeat superior.

50. As a direct result of the conduct described herein, Plaintiff has suffered injuries and damages.

51. Defendant G4S, Defendant Marriot, and Defendant Detroit Hotel is responsible for John Does 1 through 5's negligence and the damages owed to Plaintiff.

**COUNT III – PREMISES LIABILITY AS TO DEFENDANT MARRIOT, and
DEFENDANT DETROIT HOTEL**

52. Plaintiff reasserts and incorporates by reference paragraphs 1 through 51 of this Complaint.

53. At all times relevant herein, Defendant G4S, Defendant Marriot, and Defendant Detroit Hotel, inclusive, and each of them, owned, leased, possessed, maintained, operated, supervised and controlled those certain premises, structures and appurtenances located at the Renaissance Center in Detroit, Michigan, known and described collectively as the Hotel whereon said Defendants, and each of them, did engage in operating, maintaining, and offering hotel rooms to the general public.

54. At all relevant times herein, Plaintiff was an invitee of Defendants.

55. At all relevant times herein, John Does 1 through 5, inclusive, were persons of violent, vicious, and dangerous character and disposition.

56. At all relevant times herein, Defendant G4S, Defendant Marriot, and Defendant Detroit Hotel, and each of them, knew the presence of John Does 1 through 5, inclusive, were in or about the premises and knew, or in the exercise of reasonable care should have known, that the presence of John Does 1 through 5 on the premises of said Hotel created a foreseeable risk of injury to Plaintiff and would constitute a danger and hazard to patrons of said Hotel, but carelessly and negligently failed to take reasonable precautions to prevent the danger on the premises.

57. Since this incident, Defendants have taken no steps to train security personnel that are working on the premises by taking appropriate action such as re-training security personnel to not use violence as a first recourse; training security personnel to use mace and tasers only as a last resort; hiring security guards that have been properly trained; hiring security guards that have been properly vetted; and training security personnel to not use racial profiling.

58. In addition, Plaintiff believes that Defendants did not in any way discipline the employees and/or managers who had actual knowledge of the threat to Plaintiff's safety and failed to take adequate steps to protect Plaintiff; thus ratifying this conduct.

59. In addition, Defendant G4S, Defendant Marriot, and Defendant Detroit Hotel intentionally withheld evidence by not sharing security-camera footage of the incident for the purpose of increasing Defendants' chances to prevail in a civil suit in which Defendant G4S, Defendant Marriot, and Defendant Detroit Hotel would be named as defendants.

60. Defendant G4S', Defendant Marriot's, Defendant Detroit Hotel's, and John Does 1 through 5's actions in this regard were despicable, and done willfully and with a conscious disregard of Plaintiff's rights, with the intent to cause injury to Plaintiff.

**COUNT IV – NEGLIGENT HIRING, TRAINING, AND SUPERVISION AS TO
DEFENDANT G4S, DEFENDANT MARRIOT, and DEFENDANT DETROIT HOTEL**

61. Plaintiff reasserts and incorporates by reference paragraphs 1 through 60 of this Complaint as though fully stated herein.

62. At all times relevant herein, the members of Defendant G4S', Defendant Marriot's, and Defendant Detroit Hotel's security personnel were acting under the direction and control, and pursuant to the rules, regulations, policies and procedures put in place by Defendant G4S, Defendant Marriot, and Defendant Detroit Hotel.

63. Defendant G4S, Defendant Marriot, and Defendant Detroit Hotel acted in contravention to their duty of care to Plaintiff by negligently, carelessly, and recklessly failing to properly train, supervise, control, direct and monitor their security staff in their duties and responsibilities.

64. As a direct and proximate result of the acts and omissions of Defendant G4S, Defendant Marriot, and Defendant Detroit Hotel, the Plaintiff was wrongfully and unlawfully attacked, assaulted, battered, and negligently harmed, among other things.

COUNT V – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

65. Plaintiff reasserts and incorporates by reference paragraphs 1 through 64 of this Complaint as though fully stated herein.

66. Defendants negligently caused severe emotional distress to the Plaintiff by their extremely negligent actions and breach of their duty of care, including but not limited to engaging in and/or allowing their employees and agents to engage in a senseless physical attack upon the person of the Plaintiff which directly led to physical injury.

67. As a direct and proximate result of the Defendants' extremely, negligent, reckless and indifferent conduct, the Plaintiff suffered severe pain, emotional distress, and mental anguish.

COUNT VI – ASSAULT AND BATTERY AS TO JOHN DOES 1 THROUGH

68. Plaintiff reasserts and incorporates by reference paragraphs 1 through 67 of this Complaint as though fully stated herein.

69. Defendant John Does 1 through 5 intentionally created an apprehension of immediate physical harm by means of an overt gesture—grabbing Plaintiff by the beard, kneeling Plaintiff in the leg, slamming Plaintiff to the ground, stomping on Plaintiff and pepper spraying Plaintiff once subdued.

70. Defendant John Does 1 through 5 had the apparent ability to carry out the act if not prevented.

71. Defendant John Does 1 through 5, without proper grounds, willfully and maliciously attacked the Plaintiff without just cause.

72. The injuries suffered by the Plaintiff were inflicted while he was presenting no immediate threat to anyone.

73. As a direct and proximate result of the willful, wanton, malicious and intentional actions of Defendants, the Plaintiff suffered bodily injuries, mental anguish, humiliation and embarrassment.

COUNT VII – FALSE IMPRISONMENT

74. Plaintiff reasserts and incorporates by reference paragraphs 1 through 73 of this Complaint as though fully stated herein.

75. At all times relevant herein, Plaintiff was physically restrained by Defendants and deprived of his personal liberty and freedom of movement when he was falsely imprisoned, handcuffed, pepper sprayed and subsequently locked in a room against his will.

76. The Defendants' actions were intentional, unlawful, unprivileged, without probable cause and accomplished by the use of excessive force.

77. The Defendants actions resulted in confinement of Plaintiff.

78. At all times relevant herein, Plaintiff was conscious of his confinement.

79. As a direct and proximate result of Defendants' false imprisonment, detention, and use of excessive force, Plaintiff suffered emotional harm, physical injuries and other damages.

COUNT VIII – FALSE ARREST

80. Plaintiff reasserts and incorporates by reference paragraphs 1 through 79 of this complaint as though fully stated herein.

81. Defendants intended to induce the arrest of Plaintiff.

82. Defendants conducted the false imprisonment and made false accusations of Plaintiff without legal justification leading to the arrest of Plaintiff by Detroit police officers.

83. At all times relevant herein, Plaintiff was innocent of any wrongdoing including the accusations made by Defendants.

84. Often, police officers treat information received from the security departments of large corporations, including the Hotel, differently than information received from ordinary citizens.

85. Defendants directed the arrest when they used their influence as security personnel to induce police officers to act in reliance upon Defendants' bad judgement.

86. Defendants instigated the arrest when they intentionally accused the innocent Plaintiff, which led to Plaintiff's arrest by Detroit police officers.

87. Plaintiff was arrested and spent the night in jail.

88. As a direct and proximate result of the willful, wanton, malicious and intentional actions of Defendants, the Plaintiff suffered bodily injuries, mental anguish, humiliation and embarrassment, among other damages.

COUNT IX – INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

89. Plaintiff reasserts and incorporates by reference paragraphs 1 through 88 of this Complaint as though fully stated herein.

90. Defendants intentionally caused severe emotional distress to the Plaintiff by their willful, wanton, extremely reckless and indifferent conduct, including but not limited to engaging in a senseless physical attack upon the person of the Plaintiff which directly led to Plaintiff's injury and humiliation.

91. Defendants intentionally caused severe emotional distress when Defendants detained and confined Plaintiff for two hours in a locked, overly heated room where Plaintiff suffered shortness of breath.

92. The Defendants' actions were done with the purpose of inflicting emotional distress and fear.

93. At all times relevant herein, the Defendants' actions were so outrageous in character, and so extreme in degree, as to go beyond all possible bounds of decency, and to be regarded as atrocious, and utterly intolerable in a civilized community.

94. As a direct and proximate result of the Defendants' extremely, reckless and indifferent conduct, the Plaintiff suffered severe pain, emotional distress, mental anguish and physical injuries, among other damages.

95. Plaintiff's injuries, which required professional treatment, were a direct result of Defendants' actions.

COUNT X – CIVIL CONSPIRACY

96. Plaintiff reasserts and incorporates by reference paragraphs 1 through 95 of this Complaint as though fully stated herein.

97. Defendants entered into an agreement to commit illegal acts against Plaintiff.

98. Defendants did indeed commit illegal and harmful acts on Plaintiff.

99. Defendant John Does 1 through 5 were acting in the course and general scope of their employment in pursuance of the authority given them by Defendant G4S, Defendant Marriot, and Defendant Detroit Hotel.

100. Defendants John Does 1 through 5 instigated, condoned and/or participated in the conspiracy to commit negligent and intentional acts on Plaintiff.

101. Plaintiff was injured by the Defendants.

102. Defendant G4S, Defendant Marriot, and Defendant Detroit Hotel are directly and vicariously liable for the actions of their employees or agents.

103. Defendant John Does 1 through 5 are directly liable for their own acts.

104. As a direct and proximate result of the Defendants' civil conspiracy and unlawful acts, the Plaintiff suffered severe pain, emotional distress, mental anguish, and humiliation, among other damages.

COUNT XI – CONCERT OF ACTION

105. Plaintiff reasserts and incorporates by reference paragraphs 1 through 104 of this Complaint as though fully stated herein.

106. At all relevant times, several or all Defendants engaged in concerted activities described in paragraphs 1 - 104 above by express or implied agreement.

107. Plaintiff may not be able to identify all of the activities of Defendants due to the generic similarity of such activities as produced and promoted by these Defendants.

108. As a direct and proximate result of Defendants' concerted activities, Plaintiff has sustained and will continue to sustain severe damages as more specifically alleged in the preceding paragraphs.

109. Due to the concert of action among all of the various Defendants, each is liable to the Plaintiff for these damages even if there was no direct relation to the activity conducted by that particular Defendant.

WHEREFORE Plaintiff requests this Honorable Court to enter a Judgment against Defendants in an amount in excess of \$25,000.00, including, but not limited to punitive and exemplary damages, costs, interest and attorneys fees, and award Plaintiff any and all just and equitable relief appropriate under the given circumstances.

DEMAND FOR JURY TRIAL

NOW COMES Plaintiff, OBIE TRICE III, by and through his attorneys, The Harfouch Law Firm, PLLC, and he hereby asserts his demand for a trial by a jury of his peers, pursuant to MCR 2.508.

Respectfully submitted,

Dated: January 18, 2017

THE HARFOUCH LAW FIRM, PLLC.

/s/ Nadeem Noah Harfouch
Nadeem Noah Harfouch (P76362)
631 East Big Beaver Road, Suite 211
Ph: 248.274.6529
Fax: 248.850.2424
nharfouch@harfouchlaw.com