

IN THE CIRCUIT COURT FOR SUMNER COUNTY, TENNESSEE
AT GALLATIN

FILED
9:00 A.M.

MAR 19 2018

MELINDA RENEE TRUE,

Plaintiff,

vs.

DOJI, INC.,

Defendant.

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KATHRYN STRONG, CLERK
BY _____ D.C.

NO. 83CC1-2018-CV-265

JURY DEMAND

COMPLAINT

Comes now the Plaintiff, Melinda Renee True, by that through her counsel, and for her cause of action against Defendant DOJI, Inc., a Tennessee for-profit corporation, does state and will show as follows:

PARTIES

1. Plaintiff, Melinda Renee True, is a citizen and resident of Dickson County, Tennessee.

2. Defendant DOJI, Inc., is a Tennessee Corporation, operating under the assumed name "Demos' Restaurant" with its principal address at 503 North Maney Avenue, Murfreesboro, Tennessee 37130-2922. The Defendant specifically owns and operates the Demos Restaurant located at 161 Indian Lake Blvd., Hendersonville, Tennessee 37075. The Defendant may be served by and through its registered agent for service of process, Mr. Peter J. Demos, at 503 North Maney Avenue, Murfreesboro, Tennessee, 37130-2922. (The Defendant will be hereinafter referred to as "Defendant Demos").

JURISDICTION AND VENUE

3. The Sumner County Circuit Court has appropriate venue to hear this matter in accordance with T.C.A. § 20-4-101 because the actions and events giving rise to this cause of action all occurred in Hendersonville, Sumner County, Tennessee.

4. The Sumner County Circuit Court has appropriate jurisdiction to hear this matter in accordance with T.C.A. § 16-10-101, et. seq.

FACTS

5. On the evening of March 23, 2017, the Plaintiff, along with her family and friends, entered the Demos Restaurant, located at 161 Indian Lake Blvd., Hendersonville, Tennessee 37075, in order to have dinner.

6. The Plaintiff was a guest / invitee of Defendant Demos. Therefore, the Defendant owed a duty of care to the Plaintiff and its other guests in the restaurant.

7. The Plaintiff ordered "water" to drink from her server.

8. When the server refilled the Plaintiff's glass of water, the server poured industrial strength bleach in the Plaintiff's glass.

9. The Plaintiff ingested the industrial strength bleach before realizing that she was

 in fact not drinking water.

As a result,
10. The Plaintiff has suffered severe medical and physical problems.

11. Defendant Demos is vicariously liable for the negligent actions of its employees/agents in accordance with the common law doctrine of Respondeat Superior.

CAUSES OF ACTION

12. The Plaintiff hereby reincorporates and reasserts all of the allegations and all averments contained in paragraphs 1 through 12 above as if the same are restated herein.

13. Defendant Demos is negligent for serving the Plaintiff with bleach as her beverage.

14. As a direct and proximate cause of the Defendant's negligence, the Plaintiff has suffered damages. The damages suffered by the Plaintiff include, but are not limited to, medical damages, physical damages, medical bills, lost wages, and loss of enjoyment of life.

15. Defendant Demos is also negligent for failing to properly train its employees/agents and/or for failing to implement proper procedures in order to protect the general public from consuming poisonous chemicals used for industrial purposes in Demos restaurants.

16. The Plaintiff is entitled to compensatory damages in order to fully compensate the Plaintiff for the damages she has sustained and suffered.

17. The actions of the Defendant should be considered "reckless conduct"; thereby entitling the Plaintiff to punitive damages as determined by the trier of fact.

WHEREFORE, PREMISES CONSIDERED, the Plaintiff does pray:

1. That the Defendant be served with a copy of this Complaint and that they be required to file an Answer within the time required by law;

2. That the trier of fact determine that the Defendant is liable for the common law tort of negligence;

3. That the Plaintiff be awarded compensatory damages in order to fully compensate her for all medical bills, personal injuries, emotional injuries, and loss of enjoyment of life in an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00);

4. That the trier of fact conclude that the Defendant's conduct amount to "reckless conduct" thereby entitling Plaintiff to punitive damages;

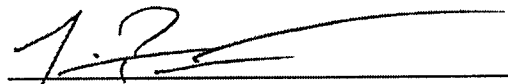
5. That the Plaintiff be awarded punitive damages in an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00);

6. That the Plaintiff be awarded her reasonable attorney's fee and discretionary costs related to this lawsuit;

7. That a jury of twelve citizen be duly impaneled to try and decide the facts of this case; and

8. That the Plaintiff be awarded her court costs and any other general relief to which she may otherwise prove entitled.

Respectfully submitted,



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