

34TH JUDICIAL DISTRICT COURT OF ST. BERNARD PARISH

STATE OF LOUISIANA

CASE NO.

18-0254

DIVISION “ ”

JUSTIN T. LEBRUN

SECTION
E

VERSUS

CBS BROADCASTING INC., WINGS PRODUCTIONS, AND ABC INSURANCE

COMPANY

ORIGINAL
RECEIVED

FAX FILED

FILED: FEB 2 19 2018 Nunez
CLERK OF COURT
ST. BERNARD PARISH

DEPUTY CLERK

MAR 01 2018

Randy S. Nunez
DEPUTY CLERK OF COURT
ST. BERNARD PARISH

PETITION FOR DAMAGES

NOW INTO COURT COMES JUSTIN T. LEBRUN, a person of full age and majority who is domiciled in Orleans Parish and respectfully represents:

I.

CBS BROADCASTING INC., a foreign corporation doing business in the state of Louisiana, is named as a defendant herein.

II.

WINGS PRODUCTIONS, a foreign corporation doing business in the state of Louisiana, is named as a defendant herein.

III.

On or about October 18, 2017, your petitioner was working as a paid actor for the above-named defendants on the set of the television show “NCIS: New Orleans” at 78700 W. Judge Perez Dr. in Chalmette, Louisiana 70043.

IV.

Your petitioner’s acting role on the show was that of a fictitious “armed jewelry store robber.”

V.

As your petitioner acted out his role of “robbing” the jewelry store, a squad of local police officers arrived on the scene with guns pointed at your petitioner as they believed that an actual armed robbery was taking place.

VI.

According to the police, the defendants failed to warn local authorities that a “staged” armed robbery would be taking place at the location.

VII.

Plaintiff was in no way negligent. Rather, the incident and his injuries were caused exclusively by the fault of the defendants for the following non-exclusive particulars, to wit:

- A. Failing to warn of and remedy a dangerous condition which was created by the defendant, as well as known or should have been known to the defendants in the exercise of reasonable care;
- B. Failing to warn local authorities of the production;
- C. Failing to take adequate steps to discover and/or remedy a known danger;
- D. Failing to exercise reasonable care under the circumstances;
- E. Failing to do what should have been done under the circumstances;
- F. Other acts of negligence that will be developed during discovery and/or proven at trial on the merits of this matter.

VIII.

The aforesaid negligence of the defendant has resulted in the petitioner suffering injuries, which have caused her damages, which said damages petitioner itemizes as follows, to wit:


- A. Medical expenses, past, present and future;
- B. Physical pain and suffering, past, present and future including stomach pain, headaches, insomnia and anxiety;
- C. Mental pain and anguish, past, present and future including post-traumatic stress disorder;
- D. Inconvenience, loss of gratification of and/or intellectual and/or physical enjoyment of life and/or loss of lifestyle, as well as lost wages;
- E. Such other damages, the form and substance of which will be more fully shown at trial on the merits of these proceedings and revealed during discovery herein.

IX.

ABC Insurance Company, an unknown insurance company, provided liability insurance to defendants at the time of the incident herein sued upon and accordingly has a duty to indemnify and defend this claim.

WHEREFORE, petitioner prays that the defendants be served with this petition and that after all legal delays and due proceedings are had there be judgment, casting the defendants liable unto petitioner for compensatory damages as might be determined by this Honorable Court, together with legal interest thereon from the date of judicial demand until paid, all costs and disbursements herein, including, but not limited to any expert witness fees, penalties, and attorney fees as provided by law, all court costs, and for all other general and equitable relief as determined by the Court.

Respectfully submitted,



J. Jacob Goehring (#32472)
Christopher R. Schwartz (#24640)
Luc D. Zeller (#37369)
Schwartz Law Firm LLC
2901 N. Causeway, Suite 204
Metairie, LA 70002
TEL (504) 837-2263
FAX (504) 837-0135
Attorneys for Plaintiff

PLEASE SERVE:

CBS Broadcasting Inc.
Through their registered agent:

Corporation Service Company
501 Louisiana Avenue
Baton Rouge, LA 70802

and, via the long-arm statute:

Wings Productions
2236 Encinitas Blvd., Suite A
Encinitas, CA 92024

and

HOLD SERVICE ON:

ABC Insurance Co.