

**N**  
**Section 8**  
**JURY**

**ORLEANS PARISH CIVIL DISTRICT COURT**  
**STATE OF LOUISIANA**

**CIVIL**  
**DISTRICT COURT**

**NO.:**

**DIVISION: “\_\_”**

**DEKE BONVILLIAN**

**VERSUS**

**LOUISIANA STADIUM AND EXPOSITION DISTRICT, SMG, ASM GLOBAL, LLC,  
T.J. LOGAN, AND BUCCANEERS TEAM, LLC, TAMPA FOOTBALL  
CORPORATION AND BUCCANEERS FOOTBALL CORPORATION D/B/A TAMPA  
BAY BUCCAMEERS**

**FILED:** \_\_\_\_\_

\_\_\_\_\_  
**DEPUTY CLERK**

**PETITION FOR DAMAGES**

**NOW INTO COURT**, through undersigned counsel, comes Petitioner, Deke Bonvillian (hereinafter “Petitioner”), a person of the full age of majority, domiciled in the Parish of Lafourche, State of Louisiana, who represents, asserts, and avers as follows:

**DEFENDANTS**

1. **LOUISIANA STADIUM AND EXPOSITION DISTRICT** (“LSED”), a state agency/political subdivision of the State of Louisiana, authorized to do and doing business in the Parish of Orleans, State of Louisiana, and who at all relevant times owned and/or operated the Mercedes-Benz Superdome located in New Orleans, Louisiana.
2. **SMG**, a foreign partnership domiciled in Pennsylvania, who is authorized to do and doing business in the Parish of Orleans, State of Louisiana, and who upon information and belief was at all relevant times responsible for managing the Mercedes-Benz Superdome located in New Orleans, Louisiana.
3. **ASM GLOBAL, LLC** (“ASM”), a foreign company domiciled in Delaware, who is authorized to do and doing business in the Parish of Orleans, State of Louisiana, and who upon information and belief was at all relevant times responsible for managing the Mercedes-Benz Superdome located in New Orleans, Louisiana.
4. **T.J. LOGAN**, a person of the age of majority and, upon information and belief, a domiciliary of Tampa Bay, Florida.

**VERIFIED**

Amber Sheeler

2020 SEP 11 A 10:49

**N**  
**Section 8**

5. **BUCCANEERS TEAM, LLC, TAMPA FOOTBALL CORPORATION, AND**  
**BUCCANEERS FOOTBALL CORPORATION D/B/A TAMPA BAY**  
CIVIL  
DISTRICT COURT

**BUCCANEERS**, a collection of foreign companies domiciled in Delaware doing business collectively as the Tampa Bay Buccaneers and authorized to do and doing business in Tampa Bay, Florida,

**JURISDICTION**

6. Jurisdiction is proper in this Honorable Court pursuant to Article 2 of the Louisiana Code of Civil Procedure.

**VENUE**

7. Venue is proper in this Honorable Court pursuant to Article 74 of the Louisiana Code of Civil Procedure, as the wrongful conduct complained of herein and the resulting injury occurred in the Parish of Orleans, State of Louisiana.

**RELEVANT FACTS**

- 8. The Defendants herein are liable and in solido unto your Petitioner, Deke Bonvillian, for damages of a sum to be determined by this Honorable Court, for such damages as are reasonable in the premises, including, but not limited to, past, present, and future pain and suffering, past, present, and future emotional distress, medical expenses, and lost wages, all with legal interest thereon from the date of judicial demand, until paid and for all costs of these proceedings for the following reasons to-wit:
- 9. On or about October 6, 2019, Petitioner worked as an audio technician for Fox Sports Productions at the Mercedes-Benz Superdome located in New Orleans, Louisiana, during an NFL game between the Tampa Bay Buccaneers and the New Orleans Saints.
- 10. While performing his job on the sidelines, Petitioner stood in his protective square designated for his duties as an audio technician.
- 11. During a punt return in the second half, a Tampa Bay player, identified herein as Defendant, T.J. Logan, ran out of bounds and forcefully shoved Petitioner down and into the ground.
- 12. Petitioner continues to receive medical treatment for his injuries.
- 13. As a result of Defendants' negligence, or in the alternative, intentional act, Petitioner was injured and is entitled to recover such reasonable damages.

**N**  
**Section 8**

14. Petitioner was neither at fault nor was he contributorily or comparatively negligent. His injuries were caused solely by fault, negligence, and liability of the Defendants, who are liable unto Petitioner.

CIVIL  
DISTRICT COURT

**CAUSES OF ACTION**

15. Plaintiff asserts the following causes of action, pled in the alternative where appropriate against Defendants:

**ASSAULT & BATTERY**

16. Plaintiff hereby alleges and incorporates by reference Paragraphs 1 through 15.

17. La. R.S. § 14:36 defines “assault” as “the intentional placing of another in reasonable apprehension of receiving a battery.”

18. La. R.S. § 14:33 defines “battery” as “the intentional use of force or violence upon the person of another.”

19. La. R.S. § 14:33 further defines “simple battery” as “a battery committed without the consent of the victim.”

20. Here, T.J. Logan physically shoved Petitioner to the ground, resulting in significant physical and mental injuries.

21. Physically pushing another person to the ground is an “intentional placing of another in reasonable apprehension of receiving a battery” and “intentional use of force” in violation of La. R.S. § 14:36 and La. R.S. § 14:33.

22. Immediately before shoving Petitioner, T.J. Logan shouted “get the fuck out of my way,” thereby placing Petitioner in reasonable apprehension of receiving an intentional use of force or violence at the hands of this NFL running back.

23. Accordingly, T.J. Logan committed both assault and battery when he chose to shove Petitioner to the ground unnecessarily and with excessive force.

24. As T.J. Logan was acting within the course and scope of his employment with Defendant, the Tampa Bay Buccaneers, his employer is solidarily liable through vicarious liability under Louisiana Civil Code article 2320.

**NEGLIGENCE**

25. Petitioner realleges and re-avers the allegations contained in Paragraphs 1-22, above, as if restated herein.

**N**  
**Section 8**CIVIL  
DISTRICT COURT

26. Article 2316 of the Louisiana Civil Code maintains that “every person is responsible for the damages he occasions not merely by his act, but by his negligence.”
27. Defendants, Louisiana Stadium and Exposition District, SMG, and ASM Global were negligent in their failure to include and/or enforce proper safety protocol for media employees such as Petitioner.
28. Defendant T.J. Logan was negligent when he acted in an unexpected and unsportsmanlike way with a reckless lack of concern or regard for another’s safety.
29. Defendant T.J. Logan’s negligence and lack of concern for the safety of others is evidence of deviation from the standard of care
30. Defendant T.J. Logan had a duty to play according to the rules of the game and with regard for the safety of others in the stadium.
31. Specifically, on a punt return, when a player on the punting team is forced out of bounds, he must return immediately to the field of play, taking the most direct route back into the field of play.
32. Instead of adhering to this rule, T.J. Logan of the Tampa Bay Buccaneers took several steps after being forced out of bounds by a Saints player, loaded up, and shouted “get the fuck out of my way” before driving Petitioner into the out of bounds turf.
33. T.J. Logan made no effort to sidestep, avoid, or even minimize contact with Petitioner – who was both stationary and looking the other direction, as he was following the play in accords with his job duties – and instead shoved him to the ground with his full force.
34. Defendants’ negligence was the proximate cause of injuries and damages sustained by Petitioner.
35. Again, as T.J. Logan was acting within the course and scope of his employment with Defendant, the Tampa Bay Buccaneers, his employer is solidarily liable through vicarious liability under Louisiana Civil Code article 2320.

**DAMAGES**

36. Petitioner realleges and re-avers the allegations contained in Paragraphs 1-33, above, as if restated herein.
37. Defendants are liable to Petitioner under the following legal theories:
- a. Assault and Battery;
  - b. Negligence;

**N**  
Section 8

CIVIL  
DISTRICT COURT

- c. Any and all other legal theories of recovery that become apparent during the discovery process and proven at the trial of this matter.

38. As a result of Defendants' bad acts, Petitioner has incurred the following, non-exclusive damages:

- a. Past, present, and future pain and suffering;
- b. Past, present, and future emotional distress;
- c. Past, present, and future medical expenses;
- d. Past, present, and future lost wages;
- e. Attorney's fees, other professional fees, and litigation costs associated with the bringing of this action; and
- f. Any and all other damages that are shown through discovery and/or proven at the trial of this matter.

**JURY DEMAND**

Plaintiff hereby notifies the Court and Defendants of his intent to seek a trial by jury.

**WHEREFORE**, Petitioner, **DEKE BONVILLIAN** prays that this Petition be deemed good and sufficient, that the Defendant be served with a certified copy of this Petition and duly cited to appear and answer same within the delays allowed by law and after all due delays and legal proceedings be had, there be judgment herein favor of Petitioner, **DEKE BONVILLIAN**, and against the Defendants, for a reasonable sum in the premises, together with legal interest from the date of judicial demand, all costs of these proceedings, and for all general and/or equitable relief.

**RESPECTFULLY SUBMITTED:**

  
 Galen M. Hair, LA Bar No. 32865  
 Madison C. Pitre, LA Bar No. 38867  
 Lauren E. Checki, LA Bar No. 31659  
**Hair Shunnarah Trial Attorneys, LLC**  
 d/b/a Insurance Claim Lawyers, Inc.  
 d/b/a Insurance Claim HQ  
 4621 West Napoleon Ave., Suite 204  
 Metairie, LA 70001  
 Phone: (504) 684-5200  
 Fax: (504) 613-6351  
[pitre@insuranceclaimhq.com](mailto:pitre@insuranceclaimhq.com)  
[hair@insuranceclaimhq.com](mailto:hair@insuranceclaimhq.com)

**N**  
**PLEASE SERVE:**  
**Section 8**

**LOUISIANA STADIUM AND EXPOSITION DISTRICT**

Through:

- 1) Louisiana Attorney General, Jeff Landry  
Louisiana Attorney General's Office  
1885 N. Third Street  
Baton Rouge, Louisiana 70802
  
- 2) Kyle France – Chairman of LSED  
Louisiana Stadium & Exposition District  
1500 Sugar Bowl Drive  
New Orleans, Louisiana 70112
  
- 3) Melissa Harris – Director of Louisiana Office of Risk Management  
Louisiana Office of Risk Management  
1201 N. Third Street, Suite 7-210  
Baton Rouge, Louisiana 70802

**SMG**

Through its registered agent for service of process:

Corporation Service Company  
501 Louisiana Ave,  
Baton Rouge, Louisiana 70802

**ASM GLOBAL, LLC**

Through long arm service  
Corporation Service Company  
251 Little Falls Drive  
Wilmington, Delaware 19808

**TJ LOGAN**

Please hold service

**BUCCANEERS TEAM, LLC, TAMPA FOOTBALL CORPORATION, AND  
BUCCANEERS FOOTBALL CORPORATION D/B/A TAMPA BAY BUCCANEERS**

Through long arm service  
Capitol Services, Inc.  
1675 S State St., Ste, B  
Dover, Delaware 19901