

CAUSE NO.: _____

KRISTIAN PAREDES,	§	IN THE DISTRICT COURT
	§	
<i>Plaintiff</i>	§	
	§	
Vs.	§	
	§	_____ JUDICIAL DISTRICT
JACQUES BERMAN a/k/a TRAVIS SCOTT	§	
WEBSTER, II, AUBREY DRAKE GRAHAM	§	
a/k/a DRAKE, LIVE NATION	§	
ENTERTAINMENT,	§	
INC., HARRIS COUNTY SPORTS &	§	
CONVENTION CORPORATION,	§	
	§	
<i>Defendants</i>	§	HARRIS COUNTY, TEXAS

PLAINTIFF’S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES KRISTIAN PAREDES hereinafter called Plaintiff, complaining of and about JACQUES BERMAN WEBSTER, II, a/k/a TRAVIS SCOTT, AUBREY DRAKE GRAHAM a/k/a DRAKE, LIVE NATION ENTERTAINMENT, INC., HARRIS COUNTY SPORTS & CONVENTION CORPORATION. Hereinafter called Defendants, and for cause of action shows unto the Court the following:

DISCOVERY LEVEL

1. Discovery level should be conducted in this case according to level Three discovery control plan under Rule 190 Texas Rules of Civil Procedure.

PARTIES/SERVICE

2. KRISTIAN PAREDES is an individual residing in Austin, Texas. Plaintiff intends that discovery be conducted under Level 3 of Rule 190.4 Texas Rules of Civil Procedure.

3. Defendant, JACQUES BERMAN WEBSTER, II a/k/a “TRAVIS SCOTT” is an individual, residing in Los Angeles, California. Defendant may be served with citation at: 12255 Sky Lane, Los

Angeles, California.

4. Defendant, AUBREY DRAKE GRAHAM, a/k/a “DRAKE” is an individual, residing in Los Angeles, California. Defendant may be served with citation at: 5841 Round Meadow Rd., Los Angeles, California.

5. Defendant, LIVE NATION ENTERTAINMENT, INC. is a foreign corporation doing business in Texas and may be served by serving its registered agent for service: Corporate Creations Network, Inc., 5444 Westheimer #1000, Houston, TX 77056.

6. Defendant, HARRIS COUNTY SPORTS & CONVENTION CORPORATION is a a/k/a NRG STADIUM is a domestic non-profit corporation who may be served by serving its registered agent for service: Ryan Walsh, One NRG Park, Houston, TX 77054

VENUE

7. Venue is proper in Harris County, Texas pursuant to CPRC §15.002(a) in that a substantial part of the events or omissions giving rise to the claim occurred in Harris County, Texas.

FACTS

8. On November 5, 2021, Defendant, JACQUES BERMAN WEBSTER, III a/k/a TRAVIS SCOTT performed at a concert at HARRIS COUNTY SPORTS & CONVENTION CORPORATION a/k/a NRG STADIUM in Houston, TX.

9. Upon information and belief, Defendant, JACQUES BERMAN WEBSTER, III a/k/a TRAVIS SCOTT managed, maintained produced, supervised, organized and controlled the concert/event “ASTROWORLD FESTIVAL 2021 that took placed on November 5, 2021, at HARRIS COUNTY SPORTS & CONVENTION CORPORATION a/k/a NRG STADIUM in HOUSTON, TX.

10. Prior to November 5, 2021, Defendant, JACQUES BERMAN WEBSTER, II a/k/a TRAVIS

SCOTT had incited mayhem and chaos at prior events. Defendants knew or should have known of JACQUES BERMAN WEBSTER, II a/k/a TRAVIS SCOTT'S prior conduct.

11. Defendant, AUBREY DRAKE GRAHAM a/k/a DRAKE a well-known artist was also a performer at the ASTROWORLD FESTIVAL event. In fact, "DRAKE" was a surprise guest performer. As "DRAKE" came onstage along side of "TRAVIS SCOTT" he helped incite the crowd even though he was knew of "TRAVIS SCOTT'S" prior conduct. Yet, "DRAKE" put himself out on stage along side of "TRAVIS SCOTT" and continued to be on stage performing along side with "TRAVIS SCOTT" as the crowd became out of control. "DRAKE" even continued to perform on stage while the crowd mayhem continued.

12. Plaintiff, KRISTIAN PAREDES, attended, the concert/event ASTROWORLD FESTIVAL, the event organized by performing artist, JACQUES BERMAN WEBSTER, II, a/k/a TRAVIS SCOTT defendant. While at this event, KRISTIAN PAREDES, was at the front of the general admission section. The only thing separating the general admission section and VIP Section was a metal barrier. As "TRAVIS SCOTT'S" performance started shortly after 9 p.m., when the countdown on stage ended, KRISTIAN PAREDES felt an immediate push. The crowd became chaotic and a stampede began leaving eight dead and dozens including KRISTEN PAREDES severely injured. Many begged security guards hired by LIVE NATION ENTERTAINMENT for help, but were ignored.

NEGLIGENCE

13. Defendants were negligent for inciting a riot and violence.

14. At the time of the incident, Plaintiff was an invitee on the property in question. The property is owned, controlled, and/or managed by DEFENDANTS.

15. Defendants knew or should have known of JACQUES BERMAN WEBSTER, II a/k/a

TRAVIS SCOTT prior conduct.

16. Defendants were responsible for providing security services at the concert at the subject premises.

17. Defendants were responsible for providing emergency medical services at the concert at the subject premises.

18. Defendants encouraged and allowed the subject premises to become overcrowded and was filled beyond capacity.

19. The occurrence here in was due to the negligence, carelessness and recklessness of the defendants, their agents, servants and employees, in the ownership, management, maintenance, operation, supervision, and the control of the subject premises.

20. Plaintiff, KRISTIAN PAREDES received no warnings prior to the incident and was without fault. Plaintiff did not contribute to the incident in question. Plaintiff's injury was proximately caused by the negligence of Defendants' agents, servants, employees and/or representatives.

21. At all times mentioned herein, Defendant owed duties to Plaintiff, including but not limited to the following and, by various acts and omissions, breached these duties, each of which singularly or in combination, was approximate cause of the occurrence in question and plaintiffs injuries:

- a. in failing to maintain the pathways of the pedestrian areas located on the premises in a reasonably safe manner;
- b. In permitting the general admission area to become a dangerous condition.
- c. In permitting the general admission area to remain a dangerous condition.
- d. In failing to properly train its employees.
- e. In failing to supervise its employees.

f. In failing to provide Plaintiff a safe place in which to be involved in entertainment activities of which defendant is in the business of providing; and

g. In failing to properly and timely inspect the area.

22. Defendants are liable under the doctrine of respondeat superior for the individuals responsible for the security of the general admission area as they were acting in the capacity as an agent, servant, and/or employee of Defendants, and were acting within the course and scope of their authority as such. There, the doctrine of *Respondent Superior* should be applied to Defendants as follows:

a. negligent hiring;

b. negligent entrustment;

c. negligent training and safety implementation; and

d. negligent retention.

By reason of all of the above, Plaintiff has suffered losses and damages in a sum within the jurisdictional limits of this court, and for which he now sues.

23. Each of these acts and/or omissions, whether taken singularly or in any combination constitutes negligence and negligence per se and gross negligence which proximately caused the collision and injuries and other losses as specifically set forth herein, all of which Plaintiff suffered and which Plaintiff will continue to suffer in the future, if not for the remainder of his natural life.

24. As a direct and proximate result of the incident and the negligent conduct of the Defendants, Plaintiff suffered severe bodily injuries. The injuries have had a serious effect on the Plaintiff's health and well-being. Some of the effects are permanent and will abide with the Plaintiff for a long time into the future, if not for his entire life.

25. As a further result of all of the above, Plaintiff has incurred expenses for medical care and

attention. These expenses were incurred for the necessary care and treatment of the injuries resulting from the incident complained of. The charges are reasonable and were the usual and customary charges made for such services in the county where they were incurred.

26. As a further result of the injuries sustained by the Plaintiff, there is a reasonable probability that he will require further medical care and attention and will incur future reasonable and necessary expenses for his medical care and attention.

27. By reason of all of the above, Plaintiff has suffered losses and damages in a sum within the jurisdictional limits of this Court for which he now sues.

28. Pursuant to RULE 47 of the TEXAS RULES OF CIVIL PROCEDURE, Plaintiff seeks monetary relief over \$1,000,000.00 and a demand for judgment for all other relief to Plaintiff may justly be entitled.

29. Plaintiff further requests both pre judgment and post judgment interest on all damages as allowed by law.

30. Plaintiff demands a trial by jury. Plaintiff acknowledges payment this date of the required jury fee.

31. Pursuant to Tex.R.Civ.P. 193.7, Plaintiff gives notice of intent to use documents produced by any party hereto in any pretrial proceeding and at trial against the producing party.

32. By reason of the foregoing, plaintiff suffered severe personal injuries resulting in extreme pain and suffering, loss of earnings, emotional distress, and medical expenses. It is anticipated that the plaintiff will continue to experience pain and suffering, loss of earnings and medical expenses in the future.

WHEREFORE, PREMISES CONSIDERED, Plaintiff requests that Defendants be cited to appear and answer, and on final trial hereafter, Plaintiff have judgment against Defendants, jointly and severally, in an amount within the jurisdictional limits of this Court, together with all pre judgment and post judgment interest as allowed by law, costs of Court, and for such other and further relief to which Plaintiff may be justly entitled by law and equity, including, but not limited to:

1. Pain and suffering in the past;
2. Pain and suffering in the future;
3. Mental anguish in the past;
4. Mental anguish in the future;
5. Past medical expenses;
6. Future medical expenses;
7. Physical impairment in the past;
8. Physical impairment in the future;
9. Physical disfigurement in the past;
10. Physical disfigurement in the future;
11. Loss of earnings;
12. Loss of earning capacity;
13. Pre judgment interest;
14. Post judgment interest;
15. Exemplary damages.

Respectfully submitted,

LAW OFFICES OF THOMAS J. HENRY
521 Starr Street
Corpus Christi, Texas 78401
Telephone: 361-985-0600
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BY:



CURTIS W. FITZGERALD, II
STATE BAR NO. 24012626

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ATTORNEYS FOR PLAINTIFF(S)

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Curtis Fitzgerald on behalf of Curtis Fitzgerald
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