

CIVIL DISTRICT COURT OF ORLEANS

SECTION 13

STATE OF LOUISIANA

2022 OCT 14 PM 12:40

NO.

2022-09602

DARNEIL GREENE, JR.

CIVIL DISTRICT COURT

DIVISION

VS.

ALVIN KAMARA

M

JURY

FILED: _____

DEPUTY CLERK

PLAINTIFF'S ORIGINAL PETITION FOR DAMAGES BASED ON ASSAULT AND BATTERY

Plaintiff Darnell Greene, Jr. files this Original Petition against Defendant Alvin Kamara and in support of his causes of action, respectfully shows this Honorable Court the following:

SUMMARY OF THIS CASE

Without justifiable provocation, Alvin Kamara, and a group of his friends brutally beat Darnell Greene while leaving a club in Las Vegas. The beating included striking him multiple times in the head and ultimately stomping him while he was down. The brutal, violent assault broke Greene's orbital lobe, severely injured his shoulder, back, and neck, and left him temporarily unconscious and helpless on the floor. Immediately after the vicious beating, Kamara bragged about it with a member of his group, stating: "*I connected with the [EXPLETIVE]'s jaw so hard.*" In response to Kamara's boasting, a member Kamara's group responded: "*That shit sounded like the [EXPLETIVE] got hit with a baseball bat.*"

Shortly after the violent assault, Kamara's group was escorted to their SUV. While in the car, one of Kamara's group said the following:

- FRIEND (to Kamara): "You trippin' bruh, you can't be doing shit like that. All you gotta do is be like ayo." 25.00 25.00
- KAMARA (in response): "I know bro, but you know I can't stop." 27.50 27.50
- FRIEND (to Kamara): "You got to figure that shit out. The wrong [EXPLETIVE] catch your ass, you're going to be in a lawsuit." 27.50 27.50

Kamara's friend was correct. Kamara must be held legally responsible for his outrageous and violent behavior. This case seeks both compensatory and punitive damages in excess \$10 million.

VERIFIED
Barbara Gaud
10/14/22

I.
PARTIES

Plaintiff Darnell Greene is an individual residing in Harris County, Texas.

Defendant Alvin Kamara is a person of the full age of majority and residing in the State of Louisiana, Parish of Orleans.

II.
CLAIM FOR RELIEF

The damages sought are within the jurisdictional limits of this Court. Plaintiff currently seeks monetary relief in excess of \$1,000,000, including damages of any kind, penalty, costs, expenses, punitive damages, pre-judgment interest, and attorney's fees.

III.
JURISDICTION AND VENUE

This court has subject matter jurisdiction over the status of the suit in this matter pursuant to La. CCP Art. 10(A)(7) because the Defendant is domiciled in the State of Louisiana.

Venue is proper in this Court pursuant to La. CCP Art. 3941 because the Defendant is domiciled in the Parish of Orleans, State of Louisiana.

Subject to La. C.C. Art. 3515 and 3537, this case is brought pursuant to Nevada law.

IV.
FACTUAL BACKGROUND

A. Introduction to the Parties

Darnell Greene resides in Houston, Texas. He is the victim of a brutal assault by Alvin Kamara. He was hospitalized, has received continuing medical treatment, and will need to undergo multiple surgeries for the damages he suffered in the attack.

Defendant Alvin Kamara lives in Louisiana and is the running back for the New Orleans Saints of the National Football League. New Orleans natives commonly look at Kamara as a pillar in their community, but his off-the-field behavior portrays a far different character. Kamara has a checkered past and has struggled with behavioral issues throughout his playing career.

Kamara currently faces criminal charges for the occurrence described herein. However, these proceedings have seemingly been put on pause to allow Kamara to play an entire season for the Saints without being suspended. Further, NFL commissioner Roger Goodell has failed to fully investigate the incident at hand, and is ostensibly waiting for the criminal proceedings to play out before issuing a suspension. It is highly suspected that Goodell has seen the violent security footage of the assault just as Plaintiff has but is choosing not to take corrective action. Darnell Greene

refuses to allow the Commissioner, the authorities, or Kamara himself to sweep this matter under the rug.

B. Darnell Greene is Brutally Attacked by Alvin Kamara on February 5, 2022.

On or about February 5, 2022, Plaintiff Darnell Greene became the victim of a violent attack at the hands of Defendant Alvin Kamara and others as he was leaving Drai's Nightclub at The Cromwell Hotel and Casino.

At roughly 6:30 in the morning, Greene was leaving Drai's and made his way to the club's elevator. As he approached the elevator, he joined in line as there were others already waiting for the elevator. The group consisted of New Orleans Saints Running Back Alvin Kamara, Kansas City Chiefs Defensive Back Chris Jammons, and numerous others. A still shot from the casino's security footage depicts the members of the group waiting outside the elevator.

Greene is shown next to Kamara near the elevator before the violent altercation.



Greene and the group began to enter the elevator as its door opened. However, Kamara did not let Greene in. Kamara forcefully blocked Greene from getting onto the elevator by throwing his arm across Greene's chest. Kamara then shoved Greene into a wall and repeatedly punched him in the face. Kamara's first of many punches connecting with Greene's face can be seen here:

Kamara is shown striking Greene for the first time.



After Kamara hits Greene the first time, Greene can be seen trying to run away from Kamara to escape and protect himself. However, Kamara's pursuit did not stop there. He chased Greene down the hall and proceeded to strike him multiple times until he was knocked to the ground. Still shots of Greene running from Kamara and Kamara striking Greene in the face are depicted below:

Greene can be seen trying to run away and escape Kamara.



Kamara is shown striking Greene in the face.



As stated in Kamara's arrest report, "Greene falls further back into the hallway as Kamara continues to punch him. Greene gets knocked unconscious and falls to the ground. As Greene is on the ground, Kamara continues punching him three more times." One of Kamara's multiple shots to Green while he lays defenseless on the ground can be seen below.

Kamara is shown on top of Greene, striking him in the face, as Greene lays unconscious on the ground. Greene is also being stomped on by members of Kamara's group.



The police report continues, "Three others, from Kamara's group, join in and begin repeatedly stomping Greene in the face, chest, and legs as he laid restless on the ground. *At no point during this attack did Greene hit, punch, or push Kamara or any of his associates.*" A still shot of Greene being kicked and stomped on by one of Kamara's associates can be seen below:

A member of Kamara's group repeatedly stomps on Greene as he lays defenseless on the ground.



Greene was left lying unconscious on the casino floor for over two minutes.



Meanwhile, Kamara and his group were escorted through a back door to valet, where they got into a black Cadillac SUV and left the property. Greene himself, of course, did not get a special escort to valet; instead, he was picked up off the ground and wheelchair to a medic before being taken to Sunrise Hospital in Las Vegas, Nevada. A still shot of Greene being taken away on a wheelchair can be seen below:



Once inside the SUV, Kamara and his group jokingly recapped the assault and continuously made jokes about Greene and his condition after he was violently beaten. Kamara stated, “I connected with the [EXPLETIVE]’s jaw so hard.” As the conversation continues, another individual in the car says, “That shit sounded like the [EXPLETIVE] got hit with a baseball bat.”

Even though the group continued to joke about the events, Kamara’s friends knew he had made a mistake. A conversation between the individual in the front seat and Kamara went as follows:

FRIEND (to Kamara): “You trippin bruh, you can’t be doing shit like that. All you gotta do is be like aye.”

KAMARA (in response): “I know bro, but you know I can’t stop.”

FRIEND (to Kamara): “You got to. You gotta figure that shit out. The wrong [EXPLITIVE] catch your ass, you’re going to be in a lawsuit.”

Mr. Darnell Greene now brings this lawsuit against Alvin Kamara to recover for the injuries he sustained in the assault described herein. Greene suffered severe injuries to his neck, back, head, shoulder, knees, and face. Medical testing confirmed a disfiguring facial fracture to Greene’s right orbital bone, blunt force trauma to his head, multiple disc protrusions, and structural tears in his shoulder.

Plaintiff Greene continues to receive medical treatment for his injuries sustained in the Occurrence. Damages to Greene’s face after the assault are depicted here:



C. Kamara is Arrested on Felony Battery Charges on February 6, 2022.

After playing in the NFL's Pro Bowl on February 6, 2022, Alvin Kamara was arrested on felony battery charges for the incident described herein. Kamara was released on bail and has postponed multiple criminal hearings through his attorneys' request.

NFL Commissioner Roger Goodell has not taken any action against Kamara for his participation in the brutal assault. Reports have shown Kamara's offseason arrest remains under league review, and the NFL is monitoring all legal developments. To date, Kamara has not been subject to any discipline by the NFL or Commissioner Goodell.

V.

CAUSE OF ACTION

A. Tort Assault and Battery

Plaintiff incorporates the above paragraphs as if set forth in full below.

Plaintiff sues Defendant for assault and battery in tort.

By shoving Plaintiff against a wall, punching him in the face, repeatedly punching him in the body and head, and then repeatedly punching on him as he laid defenseless on the ground, Defendant deliberately used violent force against Plaintiff with the intent to inflict actual damage.

Defendant subjected Plaintiff to unwanted, forceful, intentional and harmful contact constituting battery upon Plaintiff's person.

VI.
DAMAGES

As a direct and proximate result of the foregoing events, Plaintiff suffered damages in the past and, in reasonable probability, will continue to suffer damages in the future, including but not limited to: physical pain and suffering, mental anguish, loss of earning capacity, past, present, and future medical expenses, permanent brain damage, physical disability, and loss of enjoyment of life, all for which Plaintiff seeks recovery herein. Plaintiff also seeks punitive damages.

VII.
DEMAND FOR JURY TRIAL

Plaintiff respectfully demands a jury trial and tenders the appropriate fee with this petition.

VIII.
CONDITIONS PRECEDENT

All conditions precedent to Plaintiff's right to recover have been fully performed or have been waived by Defendant.

IX.
PRESERVATION OF EVIDENCE

Plaintiff hereby requests and demands that Defendant preserves and maintains all evidence pertaining to any claim or defense related to the incident which made the basis of this lawsuit or the damages resulting therefrom, including statements, photographs, videotapes concerning the events described herein, audiotapes, surveillance or security tapes, business or medical records, incident reports, arrest reports, bills, telephone call slips or records, correspondence, facsimiles, emails, voicemails, text messages, insurance policies, contracts, agreements of any kind, procedures, bylaws, reports and investigative materials, and any evidence involving any facts stated in this petition and the incident in question, and any electronic image or information related to the referenced incident or damages. Failure to maintain such items may constitute "spoliation" of evidence.

X.
PRAYER

For all of the aforementioned reasons, Plaintiff Darnell Greene prays for judgment against Defendant Alvin Kamara in the amount of no less than five million dollars (\$5,000,000) for actual damages for pecuniary losses, pain and suffering, disfigurement, mental anguish, and past, present, and future medical expenses; and no less than five million dollars (\$5,000,000) in

exemplary damages; pre-judgment and post-judgment interest as allowed by law; all costs of Court; and all such other and further relief, at law and in equity, to which he may be justly entitled.

Respectfully submitted,

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