

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

Index No.:
Date Purchased:

-----X
DONALD GOODE,

SUMMONS

Plaintiff,

Plaintiff designates New York
County as the place of trial.

-against-

The basis of venue is:
Location of Occurrence

HENSAM ENTERPRISES, INC d/b/a SOBs,

Occurrence Location:
204 Varrick Street
New York, NY 10014

Defendant.

County of New York

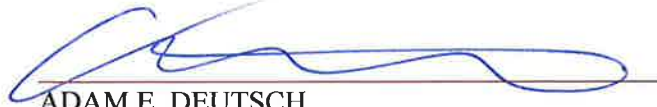
-----X

To the above named Defendants:

You are hereby summoned to answer the complaint in this action, and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the Plaintiff's attorneys within twenty days after the service of this summons, exclusive of the day of service, where service is made by delivery upon you personally within the state, or, within 30 days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, NY
April 24, 2014

MORELLI ALTERS RATNER LLP



ADAM E. DEUTSCH
Attorneys for Plaintiff
DONALD GOODE
950 Third Avenue, 11th floor
New York, NY 10022
212-751-9800
Our File No. D 1221

TO: HENSAM ENTERPRISES
200 Varrick Street, Basement
New York, New York 10014

SOBs
204 Varrick Street
New York, New York 10014

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

Index No. :
Date Purchased:

-----X
DONALD GOODE,

Plaintiff,

-against-

HENSAM ENTERPRISES, INC d/b/a SOBs,

Defendant.
-----X

VERIFIED
COMPLAINT

Preliminary Statement

1. This action arises out of the negligence of HENSAM ENTERPRISES, INC d/b/a SOBs (hereinafter "SOBs") which caused severe and devastating injuries to Donald Goode on or about the evening of Wednesday September 11, 2013 and into the morning of Thursday September 12, 2013 while he was lawfully on the premises of SOBs. Countless acts of violence and misdeeds have occurred on the premises of SOBs, many of which have involved the authorities. Because of these prior acts, SOBs required all patrons at their premises on the evening of September 11, 2013 to go through a security checkpoint in order to prevent weapons from being brought inside of the club. As a result of the security checkpoint patrons of the club, including Mr. Goode were under the belief that the club was safe. However, as a result of the negligence of SOBs, including, but not limited to their negligent security a gun was brought into the club and Mr. Goode, an innocent bystander, was shot.

Parties

2. Donald Goode was a citizen of the State of Tennessee at all times pertinent and relevant to the incidents described herein.
3. Hensam Enterprises, Inc. d/b/a SOBs is a domestic business corporation with its principal place of business located at 200 Varick Street, New York, NY.

Facts

4. On or about evening of September 11, 2013 and into the early morning hours of September 12, 2013, Donald Goode was a lawful patron on the premises of SOBs.
5. On the evening of September 11, 2013 SOBs was hosting a concert and party called "Mixtape Release SDMG NYC Edition" for the rapper Fat Trel.
6. SOBs was aware that "SDMG" stood for Sex, Drugs, Money and GUNS.
7. SOBs had a non-delegable duty to protect their patrons at this show and insure that proper security was provided.
8. SOBs also undertook the duty to provide a safe club for patrons when it searched and frisked all patrons as they entered the club on September 11, 2013.
9. One of the purposes of the SOBs security search was to locate weapons.
10. Weapons were not permitted in the club.

11. Had SOB's security found a weapon on a patron during the security check the patron would be turned away.
12. SOB's was aware that patrons may try to bring and actually bring weapons into the club and for that reason required all patrons to undergo a security checks.
13. On the evening of September 11, 2013 Donald Goode went to SOB's to the "Mixtape Release SDMG NYC Edition" for the rapper Fat Trel party.
14. Mr. Goode went through security and was led to believe that the club was safe and that there would be no weapons brought inside.
15. During the performance at SOB's on the evening of September 11, 2013 and into the early morning of September 12, 2013 gun shots were fired inside of the club.
16. The gun used during the shooting made it into the club past the security checkpoint provided by SOB's.
17. Mr. Goode was shot in the leg inside of SOB's causing serious injuries.
18. This tragedy would not have occurred but for the negligence of SOB's, including, but not limited to their failure to provide adequate security.
19. As a result of his injuries caused directly by the negligence of SOB's, Donald Goode has suffered and will continue to suffer severe and permanent injuries, pain and suffering, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, loss of enjoyment of life, and has incurred and will continue to incur expenses for medical treatment, loss of income and loss of earning capacity.

FIRST CAUSE OF ACTION

20. Plaintiff Donald Goode hereby adopts and incorporates by reference the proceeding paragraphs in there entirety.
21. SOB's, individually, jointly and severally, including its agents, servants and employees owed a duty of ordinary care to plaintiff by providing security to Donald Goode and other patrons of SOB's.
22. It was foreseeable, especially in light of the name of the party, that patrons could or would bring dangerous weapons, including guns, into the club on September 11, 2013.
23. SOB's knew or should have known through the exercise of reasonable care that patrons could or would bring dangerous weapons into the club on September 11, 2013.
24. SOB's undertook the duty to protect clubgoers from weapons by providing security to frisk and search patrons.
25. SOB's breached said duties owed to Donald Goode and were negligent.
26. SOB's negligence was a substantial factor in causing injuries to Donald Goode.

WHEREFORE, Plaintiff demands judgment against the Defendants herein, in an amount exceeding the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with the costs and disbursements of this action.

Dated: New York, New York
April 24, 2014



ADAM E. DEUTSCH

ATTORNEY'S VERIFICATION

STATE OF NEW YORK, COUNTY OF NEW YORK

I, the undersigned, an attorney admitted to practice in the courts of New York State, state under penalty of perjury that I am one of the attorneys for the Plaintiffs in the within action; I have read the foregoing **SUMMONS & VERIFIED COMPLAINT** and know the contents thereof the same is true to my own knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters I believe to be true. The reason this verification is made by me and not by my clients, is that my clients are not presently in the County where I maintain my offices. The grounds of my belief as to all matters not stated upon my own knowledge are the materials in my file and the investigations conducted by my office.

Dated: New York, New York
April 24, 2014



Adam E. Deutsch

Index No.:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
DONALD GOODE,

Plaintiff,

-against-

HENSAM ENTERPRISES, INC d/b/a SOBs,

Defendants.

-----X

SUMMONS and VERIFIED COMPLAINT

MORELLI ALTERS RATNER LLP
Adam E. Deutsch, Esq.
Attorneys for Plaintiff
950 Third Avenue
New York, NY 10022
212-751-9800