

FILED  
SUPERIOR COURT  
THURSTON COUNTY, WA

2013 MAY 16 PM 1:06

BETTY J. GOULD, CLERK

EXPEDITE  
 No hearing is set  
 Hearing is set for  
Date/Time: \_\_\_\_\_  
Judge/Calendar: \_\_\_\_\_

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF THURSTON

ERIC L. BLUE, a single man,  
  
Plaintiff,

v.

McCoy's CAVERN, Inc, a business  
organization operating in the State of  
Washington County of Thurston and  
Sam Miller,  
  
Defendants.

Case No.: 13-2-01056-6

AMENDED COMPLIANT FOR  
DAMAGES  
FOR PERSONAL INJURY

COMES NOW the Plaintiffs ERIC L. BLUE, by and through his attorney of  
record, KEVIN L. JOHNSON, PS Attorney at Law, for a cause of action against  
the Defendant, McCOY's TAVERN, and Sam Miller complains and alleges as  
follows:

I.

1. Plaintiff, ERIC BLUE resides in Tenino, Washington, Thurston  
County.

II.

2. Defendant, McCoy's Tavern has its principle place of business in  
Olympia, Washington, Thurston County.

1 3. Defendant, Sam Miller was employed by McCoy's Tavern as a  
2 bouncer and was acting in the furtherance of Defendant, McCoy's  
3 Tavern' business when the following events occurred.  
4

5 III.

6 4. On June 4, 2011 Plaintiff went to McCoy's Tavern, a place where  
7 he has gone for years.  
8

9 5. Plaintiff ordered one small picture of beer and consumed about a  
10 quarter in the span of about one hour.  
11

12 6. After an hour Plaintiff went outside to smoke and was sitting to the  
13 right of the entrance to McCoy's Tavern.  
14

15 7. Plaintiff was speaking with a friend who was in line to enter the  
16 premises and had his wallet out to present his identification card.  
17

18 8. Defendant, Sam Miller an employee of the Defendant McCoy's  
19 Tavern as a bouncer stuck his head outside the door and said, to  
20 Plaintiff "hey (talking to Plaintiff Mr. Blue) you better not be asking  
21 people for their identification cards." "That's my job."  
22

23 9. When Plaintiff tried to reenter McCoy's Tavern, Sam Miller  
24 informed the Plaintiff that he had to go around to the front of the bar if  
25 he wanted to come back inside McCoy's.  
26

27 10. When Plaintiff arrived at the front of the bar to reenter, Sam Miller  
28 shoved Plaintiff.  
29

30 11. The shove was so hard that it caused Plaintiff to fall back and hit  
his head on the pavement.

1 12. Plaintiff became unconscious and did not regain consciousness  
2 until the paramedics arrived.  
3

4 IV. DAMAGES

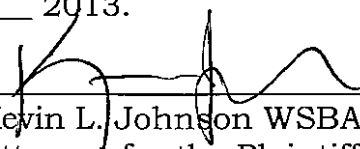
5 13. As a direct and proximate cause of Defendant Sam Miller pushing  
6 Plaintiff to the ground, Plaintiff suffered a brain injury that is continuing.  
7

8 14. As a direct and proximate cause of Defendant Sam Miller pushing  
9 Plaintiff to the ground plaintiff has suffered other personal injury the  
10 likes of which are continuing.  
11

12 WHEREFORE, Plaintiffs pray for Judgment against Defendants McCoy's  
13 Tavern and Sam Miller as follows:

- 14 1) For general damages in an amount to be determined at time of trial;  
15 2) For special damages in and amount to be determined at trial;  
16 3) For Plaintiff's costs and reasonable attorney fees;  
17 4) For leave of court to amend this compliant as discovery proceeds;  
18 5) For such other further relief as the court deems just and equitable.  
19  
20

21 DATED this 15 day of May 2013.

22  
23   
24 Kevin L. Johnson WSBA# 24784  
25 Attorney for the Plaintiff  
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27  
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