

**RETURN DATE: JANUARY 12, 2021**

**MIGUEL MACHADO-ECHAVARRIA**

**V.**

**SABA SURGULADZE  
MANUCHAR SURGULADZE  
BINGO AUTO SALES  
T'S PIZZA RESTAURANT, INC  
TINO MARTINO GIRESI**

**: SUPERIOR COURT  
:  
: JUDICIAL DISTRICT OF  
: STAMFORD/NORWALK  
:  
: AT STAMFORD  
:  
: DECEMBER 8, 2020**

**COMPLAINT**

**COUNT ONE – NEGLIGENCE AS TO SABA SURGULADZE**

1. At all times mentioned herein, the plaintiff, Miguel Machado-Echavarria, was a resident of Stamford, Connecticut.

2. At all times mentioned herein, the defendant, Saba Surguladze (hereinafter “Saba”), was a resident of Stamford, Connecticut.

3. At all times mentioned herein, the defendant, Saba, was twenty (20) years of age.

4. At all times mentioned herein, the defendant, Saba, was the operator of a grey 2007 BMW bearing New Jersey plate number 6011071R.

5. At all times mentioned herein, the defendant, Manuchar Surguladze (hereinafter “Manuchar”), was the registered owner of the grey 2007 BMW referenced in paragraph 4, above.

6. At all times mentioned herein, the defendant, Manuchar, was a resident of 63 Sheldon Avenue, Tarrytown, NY doing business as Bingo Auto Sales, a d/b/a entity registered in the State of New York in 2008.

7. Upon information and belief, Rusudan Goletiani, is a principle of Bingo Bingo Auto Sales, a d/b/a registered in the State of New York in 2008.

8. Upon information and belief, at all times mentioned herein, the grey 2007 BMW referenced in paragraph 4, above, was a possession of and generally under the control of Bingo Auto Sales.

9. Upon information and belief, at all times mentioned herein, defendant Saba had the express permission of Bingo Auto Sales to operate the grey 2007 BMW referenced in paragraph 4, above.

10. At all times mentioned herein the plaintiff was the front seat-belted passenger of the grey 2007 BMW referenced in paragraph 4, above.

11. On or about June 20, 2020, at approximately 4:20 p.m., the defendant, Saba, was operating the vehicle described in paragraph 4, above, at a high rate of speed eastbound on Cove Road in Stamford, Connecticut.

12. As the defendant was traveling on Cove Road near Van Buskirk Avenue, he lost control of the vehicle, entered into the westbound lane of travel, struck the curb with the driver side wheels causing the vehicle to jump the curb and slide sideways on the north side sidewalk where it ultimately collided with a telephone pole in front of 449 Cove Road.

13. The force of the vehicle colliding with the telephone pole caved the passenger door severely into the passenger seat area. The collision also caused the utility pole to crack both at the point of impact and the top of the pole and it thrust the entire pole a foot away from the vehicle.

14. The damage to the vehicle was so severe that First Responders had to cut the roof and passenger side door off of the car in order to remove the plaintiff.

15. The collision caused the plaintiff to be thrown in and about the interior of the vehicle, causing serious permanent injuries to the plaintiff.

16. The collision and resulting injuries to the plaintiff were caused by the negligence and carelessness of the tortfeasor, Saba, in one or more of the following ways:

- a. Saba operated the vehicle described in paragraph 4 in violation of Connecticut General Statutes §14-218a, when he drove unreasonably fast;
- b. Saba operated the vehicle described in paragraph 4 in violation of Connecticut General Statutes §14-219, when he drove in excess of the posted speed limit;
- c. Saba operated the vehicle described in paragraph 4 in violation of Connecticut General Statutes §14-222, when he drove recklessly;
- d. Saba operated the vehicle described in paragraph 4 in violation of Connecticut General Statutes §14-227a, when he drove while intoxicated;

- e. Saba operated the vehicle described in paragraph 4 in violation of Connecticut General Statutes §14-227a, when he drove under the influence of drugs;
- f. Saba operated the vehicle described in paragraph 4 in violation of Connecticut General Statutes §14-230, when he failed to maintain his lane;
- g. Saba failed to keep a reasonable and proper lookout and pay attention as to where he was going;
- h. Saba failed to apply the brakes in time to avoid the collision, although by a proper and reasonable exercise of his facilities, he could have and should have done so;
- i. Saba failed to steer the vehicle to the left or the right in order to avoid the collision, despite having the opportunity and obligation to do so;
- j. Saba failed to make use of his senses and faculties to avoid the collision or to keep and operate the vehicle under proper and reasonable control under the circumstances;
- k. Saba failed to adequately inspect the vehicle for needed maintenance and/or defects that would cause the vehicle to be unsafe when operated on the roadway;
- l. Saba failed to adequately maintain the vehicle in a condition that was safe for operation; and
- m. Saba was inattentive to his surroundings.

17. As a direct and proximate result of the negligence and carelessness of the defendant, the plaintiff has suffered the following serious and painful injuries, some, or all, of which may be permanent in nature:

- a. Traumatic Brain Injury;
- b. Multiple skull fractures;
- c. Coronal suture separation;
- d. Sylvian fissure infarction;
- e. Left hemisphere craniotomy;
- f. Duroplasty;
- g. Placement of skull segment into an abdominal flap;
- h. Paralysis;
- i. Depressed comminuted skull fracture;
- j. Subdural hematoma;
- k. Subarachnoid hemorrhage;
- l. Loss of consciousness;
- m. Right humeral fracture;
- n. Reduction and internal fixation of the right humerus fracture;
- o. Pneumonia;
- p. Inability to swallow requiring feeding tube placement;
- q. Inability to breath requiring mechanical ventilation;
- r. Coma; and

- s. Pulmonary contusion;
- t. Pain, discomfort, mental distress and shock to the entire nervous system.

18. As a further and direct proximate result of said injuries, the plaintiff has suffered and will continue to suffer pain, mental anguish, anxiety and distress, as well as limitation of motion, function and capacity, some of the effects of which are, or are likely, to be permanent.

19. As a further and direct proximate result of said injuries, the plaintiff has incurred and will incur in the future, expenses for medical, hospital, prescription medicine, therapy and related healthcare expenses, all necessary for his physical and mental recovery.

20. As a further and direct proximate result of said injuries, the plaintiff's ability to pursue and enjoy his life's usual activities, including household and other daily activities, and have caused lost wages and/or a loss of his earning capacity, all to his special loss and damage.

**COUNT TWO – NEGLIGENCE (FAMILY CAR DOCTRINE) AS TO  
DEFENDANT MANUCHAR SURGULADZE**

1-20 Paragraphs one (1) through twenty (20) of Count One are hereby realleged as paragraphs one (1) through twenty (20) of Count Two.

21. At the date and time of the incident described above, defendant Saba was operating the vehicle owned by defendant, Manuchar, as a family car within the meaning of Connecticut General Statutes §52-182.

22. As a consequence thereof, the defendant Manuchar, is vicariously liable for the injuries and losses suffered by the plaintiff due to the negligence of defendant, Saba.

**COUNT THREE – NEGLIGENCE (VICARIOUS LIABILITY) AS TO DEFENDANT BINGO AUTO SALES**

1-20 Paragraphs one (1) through twenty (20) of Count One are hereby realleged as paragraphs one (1) through twenty (20) of Count Three.

21. At the date and time of the incident described above, defendant Saba was operating the vehicle described in paragraph 4 which was a possession of and generally under the control of defendant Bingo Auto Sales.

22. As a consequence thereof, the defendant Bingo Auto Sales is vicariously liable for the injuries and losses suffered by the plaintiff due to the negligence of defendant, Saba.

**COUNT FOUR – PER SE NEGLIGENCE AS TO DEFENDANT SABA SURGULADZE**

1-15 Paragraphs one (1) through fifteen (15) of Count One are hereby realleged as paragraphs one (1) through fifteen (15) of Count Four.

16. The collision and resulting injuries to the plaintiff were caused by the *per se* negligence of the tortfeasor, Saba, in one or more of the following ways:

- a. Saba operated the vehicle described in paragraph 4 in violation of Connecticut General Statutes §14-218a, when he drove unreasonably fast;
- b. Saba operated the vehicle described in paragraph 4 in violation of Connecticut General Statutes §14-219, when he drove in excess of the posted speed limit;
- c. Saba operated the vehicle described in paragraph 4 in violation of Connecticut General Statutes §14-222, when he drove recklessly;
- d. Saba operated the vehicle described in paragraph 4 in violation of Connecticut General Statutes §14-227a, when he drove while intoxicated;
- e. Saba operated the vehicle described in paragraph 4 in violation of Connecticut General Statutes §14-227a, when he drove under the influence of drugs; and
- f. Saba operated the vehicle described in paragraph 4 in violation of Connecticut General Statutes §14-230, when he failed to maintain his lane.

17. As a direct and proximate result of the *per se* negligence of the defendant, the plaintiff has suffered the following serious and painful injuries, some, or all, of which may be permanent in nature:

- a. Traumatic Brain Injury;
- b. Multiple skull fractures;
- c. Coronal suture separation;
- d. Sylvian fissure infarction;



- e. Left hemisphere craniotomy;
- f. Duroplasty;
- g. Placement of skull segment into an abdominal flap;
- h. Paralysis;
- i. Depressed comminuted skull fracture;
- j. Subdural hematoma;
- k. Subarachnoid hemorrhage;
- l. Loss of consciousness;
- m. Right humeral fracture;
- n. Reduction and internal fixation of the right humerus fracture;
- o. Pneumonia;
- p. Inability to swallow requiring feeding tube placement;
- q. Inability to breathe requiring mechanical ventilation;
- r. Coma; and
- s. Pulmonary contusion;
- t. Pain, discomfort, mental distress and shock to the entire nervous system.

18. As a further and direct proximate result of said injuries, the plaintiff has suffered and will continue to suffer pain, mental anguish, anxiety and distress, as well as limitation of motion, function and capacity, some of the effects of which are, or are likely, to be permanent.

19. As a further and direct proximate result of said injuries, the plaintiff has incurred and will incur in the future, expenses for medical, hospital, prescription medicine, therapy and related healthcare expenses, all necessary for his physical and mental recovery.

20. As a further and direct proximate result of said injuries, the plaintiff's ability to pursue and enjoy his life's usual activities, including household and other daily activities, and have caused lost wages and/or a loss of his earning capacity, all to his special loss and damage.

**COUNT FIVE – PER SE NEGLIGENCE (FAMILY CAR DOCTRINE) AS TO DEFENDANT MANUCHAR SURGULADZE**

1-20 Paragraphs one (1) through twenty (20) of Count Four are hereby realleged as paragraphs one (1) through twenty (20) of Count Five.

21. At the date and time of the incident described above, defendant Saba was operating the vehicle owned by defendant, Manuchar, as a family car within the meaning of Connecticut General Statutes §52-182.

22. As a consequence thereof, the defendant Manuchar, is vicariously liable for the injuries and losses suffered by the plaintiff due to the negligence of defendant, Saba.

**COUNT SIX – PER SE NEGLIGENCE (VICARIOUS LIABILITY) AS TO DEFENDANT BINGO AUTO SALES**

1-20 Paragraphs one (1) through twenty (20) of Count Four are hereby realleged as paragraphs one (1) through twenty (20) of Count Six.

21. At the date and time of the incident described above, defendant Saba was operating the vehicle described in paragraph 4 which was a possession of and generally under the control of defendant Bingo Auto Sales.

As a consequence thereof, the defendant, Bingo Auto Sale,s is vicariously liable for the injuries and losses suffered by the plaintiff due to the negligence of defendant, Saba.

**COUNT SEVEN –RECKLESSNESS AS TO SABA SURGULADZE**

1-15 Paragraphs one (1) through fifteen (15) of Count One are hereby realleged as paragraphs one (1) through fifteen (15) of Count Seven.

16. The collision and resulting injuries to the plaintiff were caused by the deliberate and/or wanton disregard or recklessness of the tortfeasor, defendant Saba, in one or more of the following ways:

- a. Saba operated the vehicle described in paragraph 4 in violation of Connecticut General Statutes §14-218a, when he drove unreasonably fast;
- b. Saba operated the vehicle described in paragraph 4 in violation of Connecticut General Statutes §14-219, when he drove in excess of the posted speed limit;
- c. Saba operated the vehicle described in paragraph 4 in violation of Connecticut General Statutes §14-222, when he drove recklessly;
- d. Saba operated the vehicle described in paragraph 4 in violation of Connecticut General Statutes §14-227a, when he drove while intoxicated;

- e. Saba operated the vehicle described in paragraph 4 in violation of Connecticut General Statutes §14-227a, when he drove under the influence of drugs;
- f. Saba operated the vehicle described in paragraph 4 in violation of Connecticut General Statutes §14-230, when he failed to maintain his lane;
- g. Saba failed to make use of his senses and faculties to avoid the collision or to keep and operate the vehicle under proper and reasonable control under the circumstances;
- h. Saba failed to adequately inspect the vehicle for needed maintenance and/or defects that would cause the vehicle to be unsafe when operated on the roadway; specifically the brakes were insufficient and one of the tires were bald;
- i. Saba failed to adequately maintain the vehicle in a condition that was safe for operation; specifically the brakes were insufficient and one of the tires were bald; and
- j. Saba was inattentive to his surroundings.

17. As a direct and proximate result of the deliberate and/or wanton disregard or recklessness of the defendant, Saba, the plaintiff has suffered the following serious and painful injuries, some, or all, of which may be permanent in nature:

- a. Traumatic Brain Injury;
- b. Multiple skull fractures;

- c. Coronal suture separation;
- d. Sylvian fissure infarction;
- e. Left hemisphere craniotomy;
- f. Duroplasty;
- g. Placement of skull segment into an abdominal flap;
- h. Paralysis;
- i. Depressed comminuted skull fracture;
- j. Subdural hematoma;
- k. Subarachnoid hemorrhage;
- l. Loss of consciousness;
- m. Right humeral fracture;
- n. Reduction and internal fixation of the right humerus fracture;
- o. Pneumonia;
- p. Inability to swallow requiring feeding tube placement;
- q. Inability to breathe requiring mechanical ventilation;
- r. Coma; and
- s. Pulmonary contusion;
- t. Pain, discomfort, mental distress and shock to the entire nervous system.

18. As a further and direct proximate result of said injuries, the plaintiff has suffered and will continue to suffer pain, mental anguish, anxiety and distress, as well as

limitation of motion, function and capacity, some of the effects of which are, or are likely, to be permanent.

19. As a further and direct proximate result of said injuries, the plaintiff has incurred and will incur in the future, expenses for medical, hospital, prescription medicine, therapy and related healthcare expenses, all necessary for his physical recovery.

20. As a further and direct proximate result of said injuries, the plaintiff's ability to pursue and enjoy his life's usual activities, including household and other daily activities, and have caused lost wages and/or a loss of his earning capacity, all to his special loss and damage.

**COUNT EIGHT –RECKLESSNESS (FAMILY CAR DOCTRINE) AS TO DEFENDANT MANUCHAR SURGULADZE**

1-20 Paragraphs one (1) through twenty (20) of Count Seven are hereby realleged as paragraphs one (1) through twenty (20) of Count Eight.

21. At the date and time of the incident described above, defendant Saba was operating the vehicle described in paragraph 4 owned by defendant, Manuchar, as a family car within the meaning of Connecticut General Statutes §52-182.

22. As a consequence thereof, the defendant Manuchar is vicariously liable for the injuries and losses suffered by the plaintiff as a result of the negligence of defendant Saba.

**COUNT NINE –RECKLESSNESS (VICARIOUS LIABILITY) AS TO DEFENDANT BINGO AUTO SALES**

1-20 Paragraphs one (1) through twenty (20) of Count Seven are hereby realleged as paragraphs one (1) through twenty (20) of Count Nine.

21. At the date and time of the incident described above, defendant Saba was operating the vehicle described in paragraph 4 was a possession of and generally controlled by the defendant Bingo Auto Sales.

22. As a consequence thereof, the defendant Bingo Auto Sales is vicariously liable for the injuries and losses suffered by the plaintiff as a result of the negligence of defendant Saba.

**COUNT TEN - DRAM SHOP (CONN. GEN. STAT. §30-102) AGAINST T'S PIZZA RESTAURANT, INC. D/B/A T'S PIZZA KITCHEN**

1-20 Paragraphs one (1) through twenty (20) of Count One are hereby realleged as Paragraphs one (1) though twenty (20) of Count Ten.

21. At all times material hereto, Tino Martino Giresi, was the permittee for the defendant, T's Pizza Restaurant, Inc. d/b/a T's Pizza Kitchen (hereinafter "T's Pizza"), located at 523-529 Pacific Street, Stamford, Connecticut, which entity had a permit to purvey alcoholic beverages to the public.

22. On June 20, 2020, in the hours prior to 4:20 p.m., agents, servants and employees of the defendant, T's Pizza, sold and, or provided alcoholic beverages to defendant, Saba while Saba was intoxicated in violation of Conn. Gen. Stat. §30-102.

23. As a result of defendant, Saba's intoxication, Saba drove the vehicle described in paragraph 4 while intoxicated, lost control of said vehicle and collided with a telephone pole as described in paragraphs 11 through 14.

24. This action is brought pursuant to Conn. Gen. Stat. §30-102 and notice of which was given to defendant, T's Pizza (a copy of the notice is attached hereto and incorporated as Exhibit A).

**COUNT ELEVEN – PER SE NEGLIGENT SERVICE OF ALCOHOLIC BEVERAGES AGAINST T'S PIZZA RESTURANT, INC. D/B/A T'S PIZZA KITCHEN.**

1-20 Paragraphs one (1) through twenty (20) of Count One are hereby realleged as Paragraphs one (1) though twenty (20) of Count Eleven.

21. At all times material hereto, Tino Martino Giresi, was the permittee for the defendant, T's Pizza Restaurant, Inc. d/b/a T's Pizza Kitchen ("T's Pizza), located at 523-529 Pacific Street, Stamford, Connecticut, which entity had a permit to purvey alcoholic beverages to the public.

22. On June 20, 2020, in the hours prior to 4:20 p.m., agents, servants and employees of the defendant, T's Pizza, negligently served alcoholic beverages to defendant, Saba, while he was a minor in violation of Connecticut General Statues §30-86.



23. As a result of defendant, Saba, being served alcohol as a minor, Saba drove the vehicle described in paragraph 4 while intoxicated, lost control of said vehicle and collided with a telephone pole as described in paragraphs 11 through 14.

24. Said collision was caused by the aforesaid *per se* negligent misconduct of defendant, T's Pizza, its agents, servants and, or employees.

25. As a direct result of the aforesaid *per se* negligent misconduct of defendant, T's Pizza, its agents, servants and/or employees, the plaintiff, Miguel Machado-Echavarria, sustained the serious injuries described in paragraph 16.

**COUNT TWELVE – NEGLIGENT SERVICE OF ALCOHOLIC BEVERAGES  
AGAINST T'S PIZZA RESTURANT, INC. D/B/A T'S PIZZA KITCHEN.**

1-17 Paragraphs one (1) through twenty (20) of Count One are hereby realleged as Paragraphs one (1) though twenty (20) of Count Twelve.

18. At all times material hereto, Tino Martino Giresi, was the permittee for the defendant, T's Pizza Restaurant, Inc. d/b/a T's Pizza Kitchen ("T's Pizza), located at 523-529 Pacific Street, Stamford, Connecticut, which entity had a permit to purvey alcoholic beverages to the public.

19. On June 20, 2020, in the hours prior to 4:20 p.m., agents, servants and employees of the defendant, T's Pizza, negligently served alcoholic beverages to defendant, Saba, while he was a minor and/or visibly and obviously intoxicated.

20. As a result of defendant, Saba's, intoxication, Saba drove the vehicle described in paragraph 4 while intoxicated, lost control of said vehicle and collided with a telephone pole as described in paragraphs 11 through 14.

21. Said collision was caused by the aforesaid negligent misconduct of defendant, T's Pizza, its agents, servants and, or employees.

22. As a direct result of the aforesaid negligent misconduct of defendant, T's Pizza, its agents, servants and/or employees, the plaintiff, Miguel Machado-Echavarria, sustained the serious injuries described in paragraph 16.

23. The collision and resulting injuries to the plaintiff were caused by the negligent misconduct of the defendant T's Pizza, its agents, servants and, or employees in one or more of the following respects:

- a. T's Pizza served numerous alcoholic beverages to the defendant, Saba, which caused his intoxication;
- b. T's Pizza knew or should have known that defendant, Saba, would operate a motor vehicle while intoxicated when leaving the defendant, T's Pizza's premises; and, or
- c. T's Pizza negligently maintained an alcohol service policy within the bar by which intoxicated patrons would not be refused service; and, or
- d. T's Pizza negligently maintained an alcohol service policy within the bar by which minor patrons would not be refused service; and, or

- e. T's Pizza negligently failed to warn patrons of the dangers of driving while intoxicated; and, or
- f. T's Pizza negligently failed to warn patrons of the dangers of being the passenger of a vehicle driven by a person while intoxicated; and, or
- g. T's Pizza negligently allowed defendant Saba to leave the premises when defendant, Saba, was in an intoxicated state; and, or
- h. T's Pizza failed to adopt, promulgate and, or enforce any rules or regulations concerning the supervision and control over patrons of the bar when they knew or should have known that an individual was intoxicated; and, or
- i. T's Pizza failed to adopt, promulgate and, or enforce any rules or regulations concerning the supervision and control over patrons of the bar when they knew or should have known that an individual was a minor; and, or
- j. T's Pizza failed to adopt, promulgate and, or enforce any rules or regulations to ensure alcohol was not being distributed or sold to minors when they knew or should have known that an individual was a minor; and, or
- k. T's Pizza negligently failed to have a Breathalyzer or intoxication measuring device within the bar when they knew or should have known

that intoxicated patrons would subsequently leave and operate a vehicle while intoxicated; and, or

- l. T's Pizza negligently supplied alcohol to defendant Saba when they knew or should have known that defendant, Saba, would drink and operate a vehicle while intoxicated; and, or
- m. T's Pizza negligently supplied alcohol to defendant Saba when they knew or should have known that defendant Saba was a minor; and, or
- n. T's Pizza negligently supplied alcohol to the defendant Saba while he lacked the capacity to fully understand the risks associated with intoxication due to his being a minor; and, or
- o. T's Pizza failed to properly train their agents, servants and/or employees to monitor the alcohol intake of patrons and to ensure that intoxicated persons did not operate a vehicle while intoxicated; and, or
- p. T's Pizza failed to properly train their agents, servants and/or employees to follow a procedure in order to confirm patrons are over the age of twenty-one (21) to thus ensure that alcohol is not distributed to or sold to a minor in violation of Connecticut General Statutes §30-86; and, or
- q. T's Pizza failed to employ an adequate number of employees in order to discover that the defendant, Saba, was a minor in violation of Connecticut General Statutes Section §30-22; and, or

- r. T's Pizza failed to employ an adequate number of employees in order to discover the intoxication of the defendant, Saba, in violation of Connecticut General Statutes Section §30-22; and, or
- s. T's Pizza sold or delivered alcoholic beverages to defendant Saba who was known or should have been known to be a minor, thus violating Connecticut General Statutes Section §30-86(b).

24. As a further result of the aforesaid negligent misconduct of defendant, T's Pizza, its agents, servants and, or employees, the plaintiff has incurred substantial damages by way of medical care, hospital care, treatment by physicians and other healthcare providers, surgical intervention, mechanical ventilation, physical therapy and rehabilitation, diagnostic tests and medicines, including radiological imaging, and will continue to incur such expense in the future.

25. As a further result of the aforesaid negligent misconduct of defendant, T's Pizza, its agents, servants and, or employees, said injuries of the plaintiff, some of which are permanent in nature, have affected his ability to engage in and/or enjoy normal activities of life, including household and other daily activities, and have caused lost wages and/or a loss of his earning capacity, all to his special loss and damage.

**COUNT THIRTEEN - RECKLESS, WILLFULL, AND/OR WANTON SERVICE OF ALCOHOLIC BEVERAGES AGAINST T'S PIZZA RESTURANT, INC. D/B/A T'S PIZZA KITCHEN.**

1-20 Paragraphs one (1) through twenty (20) of Count One are hereby realleged as Paragraphs one (1) though twenty (20) of Count Thirteen.

21. At all times material hereto, Tino Martino Giresi, was the permittee for the defendant, T's Pizza Restaurant, Inc. d/b/a T's Pizza Kitchen ("T's Pizza), located at 523-529 Pacific Street, Stamford, Connecticut, which entity had a permit to purvey alcoholic beverages to the public.

22. Upon information and belief, on June 20, 2020, defendant, T's Pizza Kitchen, offered a brunch special that allowed for unlimited champagne during specified hours.

23. Upon information and belief, on June 20, 2020, defendant T's Pizza Kitchen did not accept credit or debit cards as a form of payment for the unlimited champagne brunch

24. Upon information and belief, on June 20, 2020, the defendant T's Pizza Kitchen caused the video surveillance system installed at the restaurant to not function or record.

25. Upon information and belief, on June 20, 2020, the defendant T's Pizza Kitchen took steps to ensure that there were no records, either video, audio or purchase records of the patrons who attended the unlimited champagne brunch.

26. On June 20, 2020, in the hours prior to 4:20 p.m., agents, servants and employees of the defendant, T's Pizza, recklessly, willfully, and/or wantonly served

alcoholic beverages to defendant, Saba, while he was a minor and/or visibly and obviously intoxicated.

27. As a result of defendant, Saba's intoxication, Saba drove the vehicle described in paragraph 4 while intoxicated, lost control of said vehicle and collided with a telephone pole as described in paragraphs 11 through 14.

28. Said collision was caused by the aforesaid reckless, willful and/or wanton misconduct of defendant, T's Pizza, its agents, servants and, or employees.

29. As a direct result of the aforesaid reckless, willful and/or wanton misconduct of defendant, T's Pizza, its agents, servants and/or employees, the plaintiff, Miguel Machado-Echavarria, sustained the serious injuries described in paragraph 16.

30. The collision and resulting injuries to the plaintiff were caused by the reckless, willful and/or wanton misconduct of the defendant T's Pizza, its agents, servants and, or employees in one or more of the following respects:

- a. T's Pizza served numerous drinks which were included in the unlimited champagne brunch promotion to the defendant, Saba, which caused his intoxication; and or
- b. T's Pizza, knew or should have known that defendant, Saba, would operate a motor vehicle while intoxicated when leaving the defendant, T's Pizza's premises; and, or
- c. T's Pizza recklessly maintained a policy and encouraged patrons to consume as much champagne as possible during a limited time, all you-

can-drink champagne brunch which the defendant knew, or should have known, would result in the defendant, Saba's intoxication;

- d. T's Pizza recklessly maintained an alcohol service policy within the bar in which intoxicated patrons would not be refused service by delivering unlimited bottles of champagne to patron's tables with a large cup for each of the patron and not serving each patron individually; and, or
- e. T's Pizza recklessly maintained an alcohol service policy within the bar in which minor patrons would not be refused service, specifically T's Pizza Kitchen did not check the ID of patrons entering the establishment; and, or
- f. T's Pizza recklessly failed to warn patrons of the dangers of driving while intoxicated; and, or
- g. T's Pizza recklessly failed to warn patrons of the dangers of being the passenger of a vehicle driven by a person while intoxicated; and, or
- h. T's Pizza recklessly allowed defendant Saba to leave the premises when defendant, Saba, was in an intoxicated state; and, or
- i. T's Pizza failed to adopt, promulgate and, or enforce any rules or regulations concerning the supervision and control over patrons of the bar when they knew or should have known that an individual was intoxicated; and, or
- j. T's Pizza failed to adopt, promulgate and, or enforce any rules or regulations concerning the supervision and control over patrons of the bar



when they knew or should have known that an individual was a minor;  
and, or

- k. T's Pizza failed to adopt, promulgate and, or enforce any rules or regulations to ensure alcohol was not being distributed or sold to minors when they know or should know that an individual is a minor; and, or
- l. T's Pizza recklessly failed to have a Breathalyzer or intoxication measuring device within the bar when they knew or should have known that intoxicated patrons would subsequently leave and operate a vehicle while intoxicated; and, or
- m. T's Pizza recklessly supplied alcohol to defendant Saba when they knew or should have known that defendant Saba would drink and operate a vehicle while intoxicated; and, or
- n. T's Pizza recklessly supplied alcohol to defendant Saba when they knew or should have known that defendant Saba was a minor; and, or
- o. T's Pizza recklessly supplied alcohol to the defendant Saba while he lacked the capacity to fully understand the risks associated with intoxication due to his being a minor; and, or
- p. T's Pizza failed to properly train their agents, servants and/or employees to monitor the alcohol intake of patrons and to ensure that intoxicated persons did not operate a vehicle while intoxicated; and, or

- q. T's Pizza failed to properly train their agents, servants and/or employees to follow a procedure in order to confirm patrons are over the age of twenty-one (21) to thus ensure that alcohol is not distributed to or sold to a minor in violation of Connecticut General Statutes §30-86; and, or
- r. T's Pizza failed to employ an adequate number of employees to discover that the defendant, Saba, was a minor in violation of Connecticut General Statutes Section §30-22; and, or
- s. T's Pizza failed to employ an adequate number of employees to discover the intoxication of the defendant, Saba, in violation of Connecticut General Statutes Section §30-22; and, or
- t. T's Pizza sold or delivered alcoholic beverages to defendant Saba who was known or should have been known to be a minor, thus violating Connecticut General Statutes Section §30-86(b).

23. As a further result of the aforesaid reckless, willful and/or wanton misconduct of Defendant, T's Pizza, its agents, servants and, or employees, the plaintiff has incurred substantial damages by way of medical care, hospital care, treatment by physicians and other healthcare providers, surgical intervention, mechanical ventilation physical therapy and rehabilitation, diagnostic tests and medicines, including radiological imaging, and will continue to incur such expense in the future.

24. As a further result of the aforesaid reckless, willful and/or wanton misconduct of Defendant, T's Pizza, its agents, servants and, or employees, said injuries

of the plaintiff, some of which are permanent in nature, have affected his ability to engage in and/or enjoy normal activities of life, including household and other daily activities, and have caused lost wages and/or a loss of his earning capacity, all to his special loss and damage.

**COUNT FOURTEEN – NEGLIGENCE AGAINST TINO MARTINO GIRESI**

1-20 Paragraphs one (1) through twenty (20) of Count One are hereby realleged as Paragraphs one (1) though twenty (20) of Count Fourteen.

21. At all times material hereto, Tino Martino Giresi (hereinafter “Giresi”), was a resident of Greenwich, Connecticut, and was the permittee and sole proprietor for the defendant, T’s Pizza Restaurant, Inc. d/b/a T’s Pizza Kitchen (“T’s Pizza), located at 523-529 Pacific Street, Stamford, Connecticut.

22. Upon information and belief, at all times material hereto, defendant Giresi was present at T’s Pizza Kitchen on June 20, 2020.

23. Upon information and belief, on June 20, 2020, in the hours prior to 4:20 p.m., defendant Giresi negligently served alcohol to patrons without regard to the patrons’ ages or levels of intoxication.

24. As a result of defendant, Saba’s intoxication, Saba drove the vehicle described in paragraph 4 while intoxicated, lost control of said vehicle and collided with a telephone pole as described in paragraphs 11 and 14.

25. Saba’s intoxication and said collision were caused by the aforesaid negligence of defendant Giresi.

26. As a direct result of the Giresi's aforesaid negligence, the plaintiff, Miguel Machado-Echavarria, sustained the serious injuries described in paragraph 16.

27. The collision and resulting injuries to the plaintiff were caused by the defendant Giresi's negligence in one or more of the following respects:

- a. Giresi indiscriminately served drinks to the defendant, Saba, which caused his intoxication; and or
- b. Giresi, knew or should have known that defendant, Saba, would operate a motor vehicle while intoxicated when leaving the defendant, T's Pizza's premises but failed to stop Saba from drinking and, or
- c. Giresi negligently allowed defendant Saba to leave the premises when defendant, Saba, was in an intoxicated state; and, or
- d. Giresi negligently supplied alcohol to defendant Saba when he knew or should have known that defendant Saba would drink and operate a vehicle while intoxicated; and, or
- e. Giresi negligently supplied alcohol to defendant Saba when he knew or should have known that defendant Saba was a minor; and, or
- f. Giresi negligently supplied alcohol to the defendant Saba while he lacked the capacity to fully understand the risks associated with intoxication due to his being a minor.
- g. As a further result of the aforesaid negligence of the defendant Gerisi the plaintiff has incurred substantial damages by way of medical care, hospital

care, treatment by physicians and other healthcare providers, surgical intervention, mechanical ventilation physical therapy and rehabilitation, diagnostic tests and medicines, including radiological imaging, and will continue to incur such expense in the future.

28. As a further result of the aforesaid negligence defendant, Gerisi, and said injuries, the plaintiff, some of which are permanent in nature, have affected his ability to engage in and/or enjoy normal activities of life, including household and other daily activities, and have caused lost wages and/or a loss of his earning capacity, all to his special loss and damage.

**COUNT FIFTEEN – RECKLESSNESS AGAINST TINO MARTINO GIRESI**

1-20 Paragraphs one (1) through twenty (20) of Count One are hereby realleged as Paragraphs one (1) though twenty (20) of Count Fifteen.

21 At all times material hereto, Tino Martino Giresi (hereinafter “Giresi”), was a resident of Greenwich, Connecticut, and was the permittee and sole proprietor for the defendant, T’s Pizza Restaurant, Inc. d/b/a T’s Pizza Kitchen (“T’s Pizza), located at 523-529 Pacific Street, Stamford, Connecticut.

22 Upon information and belief, at all times material hereto, defendant Giresi was present at T’s Pizza Kitchen on June 20, 2020.

23 Upon information and belief, on June 20, 2020 in the hours prior to 4:20 p.m., defendant Giresi deliberately served alcohol to patrons in an indiscriminate manner without regard to the patrons’ ages or levels of intoxication.

24 Upon information and belief, defendant Saba was a patron served by defendant Giresi.

25 As a result of defendant, Saba's intoxication, Saba drove the vehicle described in paragraph 4 while intoxicated, lost control of said vehicle and collided with a telephone pole as described in paragraphs 11 through 14.

26 Said collision was caused by the aforesaid reckless, willful and/or wanton misconduct of defendant Giresi.

27 As a direct result of the aforesaid reckless, willful, and/or wanton misconduct of defendant, Giresi, the plaintiff, Miguel Machado-Echavarria, sustained the serious injuries described in paragraph 16.

28 The collision and resulting injuries to the plaintiff were caused by the reckless, willful, and/or wanton misconduct of the defendant Giresi in one or more of the following respects:

- a. Giresi recklessly, willfully, and/or wantonly served drinks to the defendant, Saba, which caused his intoxication; and or
- b. Giresi recklessly, willfully, and/or wantonly poured alcohol from large bottles directly into the mouth of patrons without regard to the ages of the patrons; and, or
- c. Giresi recklessly, willfully, and/or wantonly poured alcohol from large bottles directly into the mouths of patrons without regard to the level of intoxication of the patrons; and, or

- d. Giresi recklessly, willfully, and/or wantonly poured alcohol from large bottles directly into the mouths of patrons without regard to the ages of the patrons; and, or
- e. Giresi recklessly, willfully, and/or wantonly supplied alcohol to defendant Saba when he knew or should have known that defendant Saba would drink and operate a vehicle while intoxicated; and, or
- f. Giresi recklessly, willfully, and/or wantonly supplied alcohol to defendant Saba when he knew or should have known that defendant Saba was a minor; and, or
- g. Giresi recklessly, willfully, and/or wantonly supplied alcohol to the defendant Saba while he lacked the capacity to fully understand the risks associated with intoxication due to his being a minor.

29. As a further result of the aforesaid reckless, willful and/or wanton misconduct of Defendant, T's Pizza, its agents, servants and, or employees, the plaintiff has incurred substantial damages by way of medical care, hospital care, treatment by physicians and other healthcare providers, surgical intervention, mechanical ventilation physical therapy and rehabilitation, diagnostic tests and medicines, including radiological imaging, and will continue to incur such expense in the future.

30. As a further result of the aforesaid reckless, willful and/or wanton misconduct of Defendant, T's Pizza, its agents, servants and, or employees, the injuries of the plaintiff, some of which are permanent in nature, have affected his ability to engage in

and/or enjoy normal activities of life, including household and other daily activities, and have caused lost wages and/or a loss of his earning capacity, all to his special loss and damage.

**WHEREFORE**, the plaintiff claims:

**AS TO COUNT ONE:**

1. Monetary damages; and
2. Such other relief that the Court finds just and equitable

**AS TO COUNT TWO:**

1. Monetary damages; and
2. Such other relief that the Court finds just and equitable

**AS TO COUNT THREE:**

1. Monetary damages; and
2. Such other relief that the Court finds just and equitable

**AS TO COUNT FOUR:**

1. Monetary damages;
2. Double and Treble damages pursuant to Connecticut General Statutes §14-295; and
3. Such other relief that the Court finds just and equitable;



**AS TO COUNT FIVE:**

1. Monetary damages;
2. Double and Treble damages pursuant to Connecticut General Statutes §14-295; and
3. Such other relief that the Court finds just and equitable;

**AS TO COUNT SIX:**

1. Monetary damages;
2. Double and Treble damages pursuant to Connecticut General Statutes §14-295; and
3. Such other relief that the Court finds just and equitable;

**AS TO COUNT SEVEN:**

1. Monetary damages;
2. Such other relief that the Court finds just and equitable;

**AS TO COUNT EIGHT:**

1. Monetary damages;
2. Such other relief that the Court finds just and equitable;

**AS TO COUNT NINE:**

1. Monetary damages;
2. Such other relief that the Court finds just and equitable;

**AS TO COUNT TEN:**

1. Monetary damages;

2. Such other relief that the Court finds just and equitable;

**AS TO COUNT ELEVEN:**

1. Monetary damages;
2. Such other relief that the Court finds just and equitable;

**AS TO COUNT TWELVE:**

1. Monetary damages;
2. Such other relief that the Court finds just and equitable;

**AS TO COUNT THIRTEEN:**

1. Monetary damages;
2. Such other relief that the Court finds just and equitable;

**AS TO COUNT FOURTEEN:**

1. Monetary damages;
2. Such other relief that the Court finds just and equitable;

**AS TO COUNT FIFTEEN:**

1. Monetary damages;
2. Such other relief that the Court finds just and equitable;

THE PLAINTIFF  
MIGUEL MACHADO-ECHAVARRIA

BY  \_\_\_\_\_

Jessica A. Kordas  
Connecticut Auto Accident Law  
Group, LLC  
125 Elm Street, Suite 5  
New Canaan, Connecticut 06840  
Tel: (203) 972-5861  
Fax: (203) 972-5886  
Juris No. 441280

**RETURN DATE: JANURARY 12, 2021**

**MIGUEL MACHADO-ECHAVARRIA**

**V.**

**SABA SURGULADZE  
MANUCHAR SURGULADZE  
BINGO AUTO SALES  
T'S PIZZA RESTAURANT, INC  
TINO MARTINO GIRESI**

**: SUPERIOR COURT  
:  
: JUDICIAL DISTRICT OF  
: STAMFORD/NORWALK  
:  
: AT STAMFORD  
:  
: DECEMBER 8, 2020**

**STATEMENT OF AMOUNT IN DEMAND**

The plaintiff in the above-captioned matter hereby claims damages in an amount MORE THAN Fifteen Thousand (\$15,000.00) Dollars, exclusive of costs and interest.

THE PLAINTIFF  
MIGUEL MACHADO-ECHAVARRIA,

BY



Jessica A. Kordas  
Connecticut Auto Accident Law  
Group, LLC  
125 Elm Street, Suite 5  
New Canaan, Connecticut 06840  
Tel: (203) 658-7237  
Fax: (203) 972-5886  
Juris No. 441280