

IN THE STATE COURT OF FULTON COUNTY
STATE OF GEORGIA

LONNIE LOVE

Plaintiff,

v.

INTERNATIONAL FOLLIES, INC.,
NATIONAL PARKING SOLUTIONS, LLC, and
ALEXANDRIA EXECUTIVE PROTECTION AND
SECURITY SERVICE LLC

Defendants.

CIVIL ACTION FILE #:

COMPLAINT

COMES NOW Plaintiff LONNIE LOVE, by and through the undersigned counsel, who files this Complaint against Defendant International Follies, Inc. (“Follies”), Defendant National Parking Solutions, LLC (“National Parking”), and Defendant Alexandria Executive Protection and Security Service LLC (“Alexandria”), as follows:

PARTIES, JURISDICTION AND VENUE

1. Plaintiff is an individual who submits himself for purposes of this case to the jurisdiction of this Court.
2. Follies is a Georgia corporation.
3. The registered agent of Follies is William Hagood (the “Follies Registered Agent”).
4. The address of the Follies Registered Agent is 887 Spring Street NW, Atlanta GA 30308 (the “Follies Registered Address”).
5. The Follies Registered Agent may be served at the Follies Registered Address.
6. National Parking is a Georgia limited liability company.

7. The registered agent of National Parking is Scott A Schweber (the “National Parking Registered Agent”).
8. The address of the National Parking Registered Agent is 3330 Cumberland Boulevard, Suite 600, Atlanta GA 30339 (the “National Parking Registered Address”).
9. The National Parking Registered Agent may be served at the National Parking Registered Address.
10. Alexandria is a Georgia limited liability company.
11. The registered agent of Alexandria is Paul Augustin (the “Alexandria Registered Agent”).
12. The address of the Alexandria Registered Agent is 5511 Burnt Hickory Rd, Acworth GA 30101 (the “Alexandria Registered Address”).
13. The Alexandria Registered Agent may be served at the Alexandria Registered Address.
14. Defendants are subject to the jurisdiction of this Court pursuant to the Constitution of the State of Georgia and applicable Georgia law, because each is a resident of the State of Georgia.
15. Venue is proper in this Court for the reasons stated herein, and pursuant to the Constitution of the State of Georgia and applicable Georgia law. Follies and National Parking are residents of Fulton County, Georgia and the incident that is the subject of this matter occurred in Fulton County, Georgia.

NATURE OF ACTION

16. This Complaint is brought to recover for intentional infliction of emotional distress, breach of duties to invitee, negligence, negligent retention, negligent hiring, breach of contract, punitive damages and other damages sustained by Plaintiff as a result of the actions of Defendants complained of herein.

FACTUAL BACKGROUND

17. Upon information and belief, Follies owns and operates the club located at 887 Spring Street NW, Atlanta GA 30308 (the “Premises”) commonly known as the Cheetah Lounge (the “Lounge”).
18. On or about September 6, 2020 (the “Incident Date”), Plaintiff was an invitee of Follies at the Premises.
19. On the Incident Date, Plaintiff was a patron at the Lounge.
20. Plaintiff had driven a 2020 Bentley Flying Spur (the “Vehicle”) to the Premises and had entrusted the Vehicle to Follies through National Parking.
21. As the Lounge was closing for the evening, the patrons of the Lounge emptied into the parking lot to depart the Premises.
22. Defendants failed to adequately secure the Premises, direct the flow of traffic from patron’s cars, and provide access to patron’s cars.
23. A dispute arose amongst certain patrons.
24. One of those patrons pulled out a gun and was waiving it for a considerable amount of time.
25. Upon information and belief, such patron (the “Shooter”) began firing his weapon at other individuals and a shootout erupted (the “Shooting”).
26. The Plaintiff feared for his life as a direct result of the Shooting.
27. Defendants failed to secure the Premises and take necessary action so as to avoid the Shooting.
28. The Shooting would not have occurred but for Defendants actions and/or failure to act.
29. The Shooter fled the Premises by entering the Vehicle and driving off.

30. The Vehicle was later recovered by police but was damaged beyond repair.
31. Certain of Plaintiff's personal property that had been inside the Vehicle at the time that it was stolen was not recovered.
32. The personal property of Plaintiff that was contained in the Vehicle when it was stolen and which was not subsequently recovered includes, without limitation (collectively, the "Stolen Property") a:
 - a. Louis Vuitton bag;
 - b. Rolex Oyster Perpetual Datejust II watch;
 - c. Diamond ring with a single 5.05 ct diamond and other diamonds; and a
 - d. Diamond band ring with approximately 4.50 cts in total diamonds.
33. Representatives of National Parking failed to direct traffic to allow patrons to leave the Premises prior to the Shooting.
34. The Vehicle was blocked and Plaintiff could not leave the Premises.
35. Representatives of Follies negligently failed to protect patrons of the Lounge including, without limitation, Plaintiff.
36. Representatives of Alexandria negligently failed to protect patrons of the Lounge including, without limitation, Plaintiff.
37. Representatives of Follies watched the incident and took no meaningful action.
38. Representatives of Alexandria watched the incident and took no meaningful action.
39. Representatives of National Parking watched the incident and took no meaningful action.
40. Representatives of Follies had adequate opportunities to diffuse the dispute between patrons while such patrons were inside the Lounge, but failed to act accordingly.

41. Representatives of Alexandria had adequate opportunities to diffuse the dispute between patrons while such patrons were inside the Lounge, but failed to act accordingly.
42. Representatives of National Parking failed to secure the personal property of Plaintiff including, without limitation, his vehicle and other personal property contained in such vehicle.
43. The stolen personal property of Plaintiff that was in the Vehicle at the time it was stolen has not been recovered.
44. Such personal property includes but is not limited to the Stolen Property.
45. The value of the Stolen Property exceeds One Hundred Thirty Seven Thousand, Two Hundred Dollars and Zero Cents (\$137,200.00).
46. Pursuant to O.C.G.A. §51-3-1, “[w]here an owner or occupier of land, by express or implied invitation, induces or leads others to come upon his premises for any lawful purpose, he is liable in damages to such persons for injuries caused by his failure to exercise ordinary care in keeping the premises and approaches safe.”
47. Follies had a duty to Plaintiff to exercise ordinary care in keeping the Premises safe.
48. Follies failed to exercise ordinary care in keeping the Premises safe.
49. Follies failed to exercise ordinary care in keeping the personal property of Plaintiff safe.
50. As an agent and representative of Follies, Alexandria had a duty to Plaintiff to exercise ordinary care in keeping the Premises safe.
51. Alexandria failed to exercise ordinary care in keeping the Premises safe.
52. Alexandria failed to exercise ordinary care in keeping the personal property of Plaintiff safe.

53. As an agent and representative of Follies, National Parking had a duty to Plaintiff to exercise ordinary care in keeping the Premises safe.
54. National Parking failed to exercise ordinary care in keeping the Premises safe.
55. National Parking failed to exercise ordinary care in keeping the personal property of Plaintiff safe.
56. As a direct result of the negligence of Follies, Plaintiff's life was put in danger.
57. As a direct result of the negligence of Follies, the personal property of Plaintiff was stolen.
58. As a direct result of the negligence of Follies, Plaintiff has suffered personal injury.
59. As a direct result of the negligence of Follies, Plaintiff has suffered economic injury and incurred significant economic losses.
60. As a direct result of the negligence of Alexandria, Plaintiff's life was put in danger.
61. As a direct result of the negligence of Alexandria, the personal property of Plaintiff was stolen.
62. As a direct result of the negligence of Alexandria, Plaintiff has suffered personal injury.
63. As a direct result of the negligence of Alexandria, Plaintiff has suffered economic injury and incurred significant economic losses.
64. As a direct result of the negligence of National Parking, Plaintiff's life was put in danger.
65. As a direct result of the negligence of National Parking, the personal property of Plaintiff was stolen.
66. As a direct result of the negligence of National Parking, Plaintiff has suffered personal injury.
67. As a direct result of the negligence of National Parking, Plaintiff has suffered economic injury and incurred significant economic losses.

68. Plaintiff has suffered severe emotional distress as a direct result of Defendants' action.
69. Defendants' conduct was intentional or reckless.
70. Defendants' conduct was extreme and outrageous under the circumstances.
71. There is a causal connection between Defendants' wrongful conduct and the emotional distress suffered by Plaintiff.
72. Defendants breached their duty to Plaintiff to keep the Premises secure, provide safe access to his Vehicle and safe passage away from the Premises.
73. Follies negligently retained the services of Alexandria.
74. Follies negligently retained the services of National Parking.
75. Follies negligently entrusted Alexandria with the responsibility to secure the Premises.
76. Follies negligently entrusted National Parking with the responsibility to provide valet services at the Premises.
77. Follies negligently hired its own staff involved in the incident that is the subject of this matter.
78. Follies negligently retained its own staff involved in the incident that is the subject of this matter.
79. Follies failed to adequately train its own staff involved in the incident that is the subject of this matter.
80. National Parking negligently hired its staff involved in the incident that is the subject of this matter.
81. National Parking negligently retained its staff involved in the incident that is the subject of this matter.

82. National Parking failed to adequately train its own staff involved in the incident that is the subject of this matter.
83. Alexandria negligently hired its staff involved in the incident that is the subject of this matter.
84. Alexandria negligently retained its staff involved in the incident that is the subject of this matter.
85. Alexandria failed to adequately train its own staff involved in the incident that is the subject of this matter.
86. Follies is liable for the wrongful acts of its contractors pursuant to all applicable law including, without limitation, O.C.G.A. § 51-2-5.
87. Defendants' actions constitute willful misconduct, malice, and/or that entire want of care which would raise the presumption of conscious indifference to the consequences suffered by Plaintiff as a result of such actions. Pursuant to O.C.G.A. §51-12-5.1 and applicable Georgia law, Plaintiff is entitled to punitive damages and such other and further relief as the Court deems proper.
88. Defendants have acted in bad faith in this matter, been stubbornly litigious and caused Plaintiff unnecessary trouble and expense. Pursuant to O.C.G.A. §13-6-11, Plaintiff is entitled to reimbursement of its costs of litigation in this matter.
89. As a direct and proximate and foreseeable result of Defendants' actions, failure to act and other negligence, Plaintiff has suffered significant economic and non-economic damages.

WHEREFORE, Plaintiff prays as follows:

- (a) That process issue and that Defendants be served according to law;
- (b) That Plaintiff has a trial by jury in this matter;

- (c) That this Court grant Plaintiff a judgment against Defendants for all damages allowed under Georgia law and in a manner to be proven at the time of trial for compensatory damages, additional damages and punitive damages;
- (d) That Plaintiff recover its costs of litigation including, without limitation, attorney's fees;
- (e) That the costs of the within action be cast upon Defendants; and,
- (f) Such other, further and different relief as this Court deems just and appropriate.

Respectfully submitted this 26th day of March 2021.

THE HERNAN LAW FIRM, PC

/s/ Jamie B. Hernan

Jamie B. Hernan, Esq.

Georgia Bar Number: 348555

10896 Crabapple Road

Roswell, Georgia 30075

Tel: (678) 275-4000

Fax: (678) 265-4000

Email: jamie@hernanfirm.com