

STATE OF INDIANA)	IN THE MARION COUNTY SUPERIOR
)	SS: COURT
COUNTY OF MARION)	CAUSE NO.
)	
JAKE QUAGLIAROLI)	
Plaintiff,)	
)	
vs.)	
)	
PT'S SHOWCLUB, INC.)	
Defendant.)	

49005 11 02 0710 04939

FILED

175 FEB 23 2011

COMPLAINT FOR DAMAGES

Elizabeth A. White
CLERK OF THE MARION CIRCUIT COURT

Comes now the Plaintiff, Jake Quagliaroli, by and through the undersigned counsel, and sets forth the following:

Parties

1. Plaintiff Jake Quagliaroli (hereinafter referred to as "Plaintiff") is 34 years of age; a resident of Indianapolis, Indiana; and a citizen of the United States.
2. Plaintiff brings this action for damages.
3. Defendant, PT's Showclub, Inc. (hereinafter referred to as "Defendant"), upon information and belief is a corporation, incorporated in Colorado, with locations in Colorado, California, Florida, Illinois, Indiana, Kentucky, Maine, Minnesota, North Carolina, and Texas. Defendant operates a PT's Showclub on Pendleton Pike, in Marion County, Indiana.

Jurisdiction and Venue

4. This court has jurisdiction over this matter pursuant to Trial Rule 75 of the Indiana Rules of Civil Procedure.

Facts Common to All Counts

5. On the evening of February 10, 2010, Plaintiff attended PT's Showclub in Indianapolis, Indiana, a business that provides for financial consideration live adult entertainment and upscale restaurant/beverage services, including the sale of alcohol.
6. At approximately one o'clock in the morning (1 a.m.), one or more adult entertainers were on the stages performing.
7. Plaintiff was approximately 20 feet from the main stage at a round table near the ATM machine.
8. At this time, an adult entertainer was performing her routine on the main stage, when her shoe flew off, and struck Plaintiff in the face, resulting in significant physical damages to Plaintiff.

Count 1: Negligence

9. Plaintiff restates and reaffirms paragraphs (1) through (8) above, as if the same were wholly set out herein.
10. Defendant was negligent by failing to act with the appropriate degree of care on the night in question in the monitoring of its employees.
11. Defendant is also vicariously liable for the negligence of the adult entertainer who caused the injuries working within the scope of her employment.
12. Defendant failed to use reasonable care to protect invitees against danger.
13. Defendant is responsible for causing Plaintiff's injury because the injury would not have occurred without the conduct of the adult entertainer's performance, and the injury was a natural, probable, and foreseeable result of the conduct/performance.

14. As a direct and proximate result of Defendant's breach of duty, Plaintiff incurred significant lifelong dental injuries, including but not limited to: temporary caps, veneers which will have to be replaced every ten to fifteen years, and root canals.
15. Plaintiff did not know of a specific danger, understand the risk he faced, and did not voluntarily expose himself to the danger.

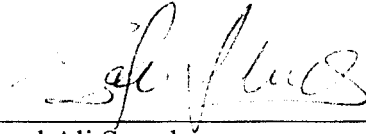
Count 2- Battery

16. Plaintiff restates and reaffirms paragraphs (1) through (15) above, as if the same were wholly set out herein.
17. Defendant is vicariously liable for the reckless battery committed by one of its employees.
18. Defendant's employee recklessly committed battery.
19. Defendant's employee acted in a reckless disregard of the consequences.
20. The fact the employee did not intend that the act result in an injury is immaterial.
21. Defendant is liable for the battery committed by an employee when the employee acts within the scope of his or her employment and on the express or implied authority of the employer.

Plaintiff's Request for Relief

22. Plaintiff requests that this Court grant him damages, in an amount to be determined at a jury trial, for his injuries suffered as a result of Defendant's failure to act with the appropriate degree of care in the monitoring of its employees and as a result of Defendant being vicariously liable for its employee's actions.

Respectfully,



Syed Ali Saeed
Attorney for Plaintiff
Saeed & Little LLP
1512 N. Delaware Street
Indianapolis, IN 46202
(317) 614-5741
syed_ali_saeed@hotmail.com

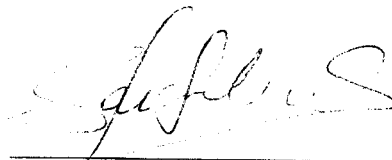
Certificate of Service

I hereby certify that on February 18, 2011, a true and accurate copy of the above was served via first class US Mail, postage pre-paid on Defendant PT's Show Club via their registered agent:

William Powers
111 Monumental Circle Suite 4560
Indianapolis, IN 46204

Additionally a true and accurate copy of this pleading was served via first class US Mail, postage pre-paid to PT's Show Club at their principal place of business in Marion County, IN:

PT's Showclub, Inc.
7916 Pendleton Pike
Indianapolis, IN 46226



Syed Ali Saeed

Syed Ali Saeed
Saeed & Little LLP
1512 N. Delaware Street
Indianapolis, IN 46202
(317) 614-5741
syed_ali_saeed@hotmail.com