

19TH JUDICIAL DISTRICT COURT FOR THE PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA

NO.

DIVISION “ ”

JASMINE EDWARDS AND DEMONYA WILLIAMS

VERSUS

**ABC INSURANCE COMPANY, XYZ INSURANCE COMPANY, FOUNDATION OF
COURTYARD ORLEANS, LLC, MULTIFAMILY MANAGEMENT, INC.,
CHRISTOPHER RAYBORN, and KORTNEY RAYBORN**

FILED: _____

DEPUTY CLERK

PETITION FOR DAMAGES

NOW INTO COURT, through undersigned counsel, comes plaintiffs, **JASMINE EDWARDS AND DEMONYA WILLIAMS**, persons of the full age of majority and residents of East Baton Rouge Parish, State of Louisiana, and with respect states as follows:

I.

Made Defendants herein are:

- a) **ABC INSURANCE COMPANY**, a foreign corporation authorized to do and doing business in the State of Louisiana, which at all times relevant herein had in full force and effect a policy of general liability insurance in favor of Defendant, **FOUNDATION OF COURTYARD ORLEANS, LLC**, against its liability in connection with the December 5, 2014 accident at issue herein.
- b) **XYZ INSURANCE COMPANY**, a foreign corporation authorized to do and doing business in the State of Louisiana, which at all times relevant herein had in full force and effect a policy of general liability insurance in favor of Defendant, **MULTIFAMILY MANAGEMENT, INC.**, against its liability in connection with the December 5, 2014 accident at issue herein.
- c) **FOUNDATION OF COURTYARD ORLEANS, LLC**, a Louisiana corporation authorized to do and doing business in the State of Louisiana, which at all times relevant hereto: owned, operated, leased, controlled and/or maintained the property located at 4444 Tigerland Ave. Apt. 1 Baton Rouge, LA and whose actions, inactions and negligence contributed to the December 5, 2014 accident at issue herein.

- d) **MULTIFAMILY MANAGEMENT, INC.**, a foreign corporation authorized to do and doing business in the State of Louisiana, which at all times relevant hereto: operated, leased, controlled and/or maintained the property located at 4444 Tigerland Ave. Apt. 1 Baton Rouge, LA and whose actions, inactions and negligence contributed to the December 5, 2014 accident at issue herein.
- e) **CHRISTOPHER RAYBORN**, a person of the full age of majority and a resident of the State of Louisiana, who at all times relevant herein was in the course and scope of his duties and/or work for Defendant, **MULTIFAMILY MANAGEMENT, INC.**, and who at all times relevant herein was the negligent employee of **MULTIFAMILY MANAGEMENT, INC.**, who caused the accident with your Petitioner on December 5, 2014.
- f) **KORTNEY RAYBORN**, a person of the full age of majority and a resident of the State of Louisiana, who at all times relevant herein was in the course and scope of her duties and/or work for Defendant, **MULTIFAMILY MANAGEMENT, INC.**, and who at all times relevant herein was the negligent employee of **MULTIFAMILY MANAGEMENT, INC.**, who caused the accident with your Petitioner on December 5, 2014.

II.

Defendants are jointly and severally liable unto your Petitioner for this matter, to wit: The accident at issue herein occurred in the Parish of East Baton Rouge, State of Louisiana, and defendants are justly and truly indebted to petitioner for said accident, in such amounts to be determined by this Court, together with legal interest from date of judicial demand and for the costs of these proceedings.

III.

At all pertinent times herein, **FOUNDATION OF COURTYARD ORLEANS, LLC and MULTIFAMILY MANAGEMENT, INC.** were the owners, operators, lessors, lessees, and/or controlled and were the entity with garde of said property located at 4444 Tigerland Ave. Apt. 1 Baton Rouge, LA 70820.

IV.

On or about December 5, 2014, an accident occurred in the Parish of East Baton Rouge, State of Louisiana, whereby Defendants, **CHRISTOPHER RAYBORN and KORTNEY RAYBORN**, while in the course and scope of their job, duties and/or work for Defendants, **FOUNDATION OF COURTYARD ORLEANS, LLC and MULTIFAMILY MANAGEMENT, INC.**, caused injuries to you petitioners due to their negligent actions. Said accident was caused by the negligence of Defendants, **FOUNDATION OF COURTYARD ORLEANS, LLC, MULTIFAMILY MANAGEMENT, INC., CHRISTOPHER RAYBORN, and KORTNEY RAYBORN.**

V.

More specifically, on or about December 5, 2014, petitioners went to the leasing office of the Courtyard Orleans Apartments, which is located at 4444 Tigerland Ave. Apt. 1 Baton Rouge, LA near Louisiana State University's campus to check the status of their online application for an apartment. Once petitioners entered the leasing office, the leasing manager, **KORTNEY RAYBORN**, while in the course and scope of her job, duties and/or work for defendant, **MULTIFAMILY MANAGEMENT, INC.**, defendant **KORTNEY RAYBORN**, refused to answer any of the petitioners' questions, was rude, and refused to assist the petitioners; even after petitioners informed her that they had spoken with Courtyard Orleans Apartments by phone to confirm completion of their apartment application.

VI.

After repeated attempts to ask questions and being rudely treated by **KORTNEY RAYBORN**, the petitioners demanded to speak to her superior with the apartment complex. At this time defendant became verbally confrontational, and ordered the young ladies to get off of the property or she would call security. The petitioners walked out of the leasing office and found a maintenance employee for the complex, and asked the employee to give them the defendant's supervisor's name and phone number. The maintenance employee gave the petitioners the requested information and apologized for **KORTNEY RAYBORN's** behavior in the leasing office.

VII.

When the petitioners arrived to their car there was a Caucasian male taking photographs of their vehicle and the license plate. Frightened and confused regarding why an adult male was taking pictures of their vehicle and license plate, they asked what he was doing. He responded with profanity and informed the petitioners that his wife was **KORTNEY RAYBORN. CHRISTOPHER RAYBORN**, apparently acting as **MULTIFAMILY MANAGEMENT, INC.**'s security, then approached plaintiff Edwards, bumping her with his chest and appearing to prepare to hit her. Petitioners asked him "are you really about to hit her?" At this point defendant became enraged and yelled the following racial epithets: "NIGGER BITCHES! YOU NIGGER BITCHES GET THE FUCK OFF THIS PROPERTY! YOU FUCKING NIGGER BITCHES BETTER LEAVE!"

VIII.

Refusing to respond to the threatening actions and words of **CHRISTOPHER RAYBORN**, petitioner Williams pulled out her cell phone and began recording the incident. As petitioner Williams attempted to film his continuous racial slurs of "nigger bitch", he turned around and suddenly struck petitioner Williams. After striking petitioner Williams, defendant jumped on top of petitioner Williams, and began choking her with both hands. Petitioner Edwards observed petitioner Williams's face turning red and appearing unable to breath. Petitioner Edwards then attempted to pull **CHRISTOPHER RAYBORN** from on top of petitioner Williams.

IX.

During the attack multiple racial slurs were used by both defendants, **CHRISTOPHER RAYBORN and KORTNEY RAYBORN**. While leasing agent, **KORTNEY RAYBORN** observed her husband/security attacking the two young ladies; she exited the leasing office and returned with a gun, which she attempted to point at both petitioners. Defendant, **KORTNEY RAYBORN**, then brought a dog (pit bull) into the leasing office, and commanded the dog to attack the young ladies, resulting in petitioner Williams being bitten and needing medical attention. The plaintiffs then called the police to the scene and defendants, **CHRISTOPHER RAYBORN and KORTNEY RAYBORN**, were arrested.

X.

Upon information and belief, at all material times hereto prior to and through the time of the December 5, 2014 accident at issue herein, defendants, **FOUNDATION OF COURTYARD ORLEANS, LLC and MULTIFAMILY MANAGEMENT, INC.**, were responsible for the negligent hiring, negligent policies and/or supervision, and failure to properly train and/or instruct their negligent employees of the aforementioned property. The negligent hiring, negligent policies and/or supervision, and failure to properly train and/or instruct its employees led to defendants' employees, **CHRISTOPHER RAYBORN and KORTNEY RAYBORN**, causing the accident at issue herein with your petitioners, **JASMINE EDWARDS and DEMONYA WILLIAMS**.

XI.

As a result of said December 5, 2014 incident, which was caused by the negligence of defendants, **FOUNDATION OF COURTYARD ORLEANS, LLC, MULTIFAMILY MANAGEMENT, INC., CHRISTOPHER RAYBORN, and KORTNEY RAYBORN**, your petitioners, **JASMINE EDWARDS and DEMONYA WILLIAMS**, suffered personal and bodily injuries and severe mental anguish, including but not limited to: neck, back and thoracic injuries, injuries to the head and neck, neurological damage, headaches, sleeplessness, sleep problems, and puncture wounds to the lower body.

XII.

The above December 5, 2014 incident and the resulting injuries to your petitioners, **JASMINE EDWARDS AND DEMONYA WILLIAMS**, were caused through the negligence of Defendants, **FOUNDATION OF COURTYARD ORLEANS, LLC, MULTIFAMILY MANAGEMENT, INC., CHRISTOPHER RAYBORN, and KORTNEY RAYBORN**, which negligence includes but is not limited to the following actions and/or inaction:

- a) Intentional infliction of emotional distress;
- b) Negligent Hiring;
- c) Assault;
- d) Aggravated assault;
- e) Battery;
- f) Negligent policies and/or supervision;

- g) Failure to properly train and/or instruct its employees;
- h) Acting in violation of the laws of the state of Louisiana and/or the Parish of East Baton Rouge, all of which acts may be properly proven at the trial of this matter;
- i) These acts of negligence are pleaded specifically herein and are in addition to other acts of negligence which will be shown at the trial of this matter.

XIII.

As a result of the foregoing and as per applicable Louisiana Law including, but not limited to, the Doctrines of Respondiat Superior, principal and agent, employer-employee, and/or master-servant, said **FOUNDATION OF COURTYARD ORLEANS, LLC, and MULTIFAMILY MANAGEMENT, INC.,** are proper party-defendants, and to which the negligence and/or liability of defendants, **CHRISTOPHER RAYBORN, and KORTNEY RAYBORN,** is attributable.

XIV.

XYZ INSURANCE COMPANY, at all times relevant herein had in full force and effect a policy of general liability insurance in favor of defendants, **MULTIFAMILY MANAGEMENT, INC., CHRISTOPHER RAYBORN, and KORTNEY RAYBORN,** against their liability in connection with the December 5, 2014 accident at issue herein. As a result of the foregoing and as per applicable Louisiana Law including, but not limited to, the Doctrines of Respondiat Superior, principal and agent, insurer and insured, the Louisiana Direct Action Statute, LSA-R.S. 22:655, and/or master-servant, said **XYZ INSURANCE COMPANY,** has been named herein as party-defendant, and is answerable and/or responsible for coverage of the negligence and/or liability of defendants, **MULTIFAMILY MANAGEMENT, INC., CHRISTOPHER RAYBORN, and KORTNEY RAYBORN.**

XV.

ABC INSURANCE COMPANY, at all times relevant herein had in full force and effect a policy of general liability insurance in favor of defendant, **FOUNDATION OF COURTYARD ORLEANS, LLC,** against its liability in connection with the December 5, 2014 accident at issue herein. As a result of the foregoing and as per applicable Louisiana Law including, but not limited to, the Doctrines of Respondiat Superior, principal and agent, insurer and insured, the Louisiana Direct Action Statute, LSA-R.S. 22:655, and/or master-servant, said **ABC INSURANCE COMPANY,** has been named herein as party-defendant, and is answerable

and/or responsible for coverage of the negligence and/or liability of defendant, **FOUNDATION OF COURTYARD ORLEANS, LLC.**

XVI.

As a result of the December 5th, 2014 accident, your petitioners, **JASMINE EDWARDS AND DEMONYA WILLIAMS**, has suffered and continues to suffer physical and mental injuries as well as inconvenience, entitling them to recover damages including but not limited to:

- a) Past and Future Mental pain and suffering;
- b) Past and Future Physical pain and suffering;
- c) Past and Future Medical expenses;
- d) Past and Future Inconvenience;
- e) Past and Future Lost Wages and Benefits and/or Loss of Earning Capacity;
- f) Past and Future Loss of Enjoyment of Life;
- g) Permanent Disability; and
- e) All damages allowed under Louisiana law which may be proven at the trial of this matter.

WHEREFORE, the aforesaid premises considered, your petitioners pray that defendants, be duly served with a copy of this petition and cited to appear and answer same, and that after due proceedings had, that there be a judgment herein in favor of your petitioners and against defendants herein finding said defendants liable jointly, severally, and in solido for the full amount of your petitioners' damages, and all costs together with legal interest thereon from the date of judicial demand until paid.

Respectfully submitted:

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(Service instructions)

PLEASE SERVE:

FOUNDATION OF COURTYARD ORLEANS, LLC

Through its registered agent:

Thomas D. Fazio
11616 Southfork Ave, Ste 302
Baton Rouge, LA 70816

MULTIFAMILY MANAGEMENT, INC.

Through its registered agent:

John D. Powers
7967 Office Park Blvd
Baton Rouge, LA 70809

CHRISTOPHER RAYBORN

At his last known address:
4444 Tigerland Ave. Apt. 1
Baton Rouge, LA 70820

KORTNEY RAYBORN

At her last known address:
4444 Tigerland Ave. Apt. 1
Baton Rouge, LA 70820

PLEASE HOLD SERVICE:

ABC INSURANCE COMPANY

XYZ INSURANCE COMPANY