

IN THE CIRCUIT COURT OF NEWTON COUNTY, MISSOURI

DEARMAN BRIDGETT,

Plaintiff,

vs.

Case No.:

FRANK'S LOUNGE, LLC, and  
ANDREW BRILL,

Defendants.

**PETITION FOR WRONGFUL DEATH**

**GENERAL ALLEGATIONS**

COMES NOW Plaintiff, by and through his attorney of record, and for his cause of action against Defendant, states, alleges and avers as follows:

1. Jurisdiction and venue are proper in the Circuit Court of Newton County, Missouri because plaintiff was first injured in Newton County, Missouri and the amount in controversy exceeds \$25,000.00.
2. Plaintiff is the father of Dedrian Bridgett and, as such, is a class (1) party, as defined by Section 537.080.1 (1) RSMo. who is entitled to bring a cause of action for the death of his daughter, Dedrian Bridgett.
3. Frank's Lounge, LLC, is a Missouri limited liability company organized under the laws of the State of Missouri.
4. Frank's Lounge, LLC, can be served through its registered agent Judith M. Petty at 5601 S. Main St., Joplin, MO 64804.
5. Frank's Lounge, LLC, owns and operates a bar and lounge located 2112 S. Main St., Joplin, MO 64804.

6. Frank's Lounge, LLC, is a business licensed to sell intoxicating beverages by the drink for consumption at its premises in Joplin, Missouri.

7. On September 25, 2024, Andrew Brill was a patron at Defendant's bar/lounge.

8. On September 25, 2024, Andrew Brill was visibly intoxicated while at Defendant's bar/lounge.

9. On September 25, 2024, Defendant Frank's Lounge, LLC, through its agents and/or employees knowingly served intoxicating beverages to Andrew Brill when Defendant Frank's Lounge, LLC, through its agents and/or employees knew or should have known that Andrew Brill was visibly intoxicated.

10. After leaving Defendant Frank's Lounge, LLC's on September 25, 2024, Andrew Brill was involved in a motorcycle collision as a result of his intoxication.

11. Deadrian Bridgett was a passenger on Andrew Brill's motorcycle and because of the collision was ejected from the motorcycle.

12. Deadrian Bridgett died at the scene of the collision as a result of the collision related injuries.

13. As a direct and approximate result of the collision, Plaintiff sustained the following damages:

- a. The death and loss of his daughter, Dedrian Bridgett;
- b. Funeral and burial expenses incurred by Plaintiff;
- c. The reasonable value of the services, companionship, comfort, instruction, guidance, counsel, training and/or support of which Plaintiff has been deprived by reason of the death of his daughter, Dedrian Bridgett.

**WHEREFORE** Plaintiff prays for a judgment against Defendant in such sum as is fair and reasonable, for post-judgment interest at the legal rate, and for such further relief as is just and proper.

**COUNT I – DRAM SHOP LIABILITY OF FRANKS LOUNGE, LLC**

COMES NOW Plaintiff, by and through his attorneys of record, Aaron Sachs & Associates, P.C., and for his cause of action against Defendant Franks Lounge, LLC, states, alleges and avers as follows:

14. Plaintiff incorporates by this reference each and every allegation contained in *General Allegations*.
15. Defendant's conduct in serving intoxicating beverages to an individual in a visibly intoxicated condition demonstrates a failure to use that degree of care that an ordinarily careful alcohol serving establishment would use under the same or similar circumstances.
16. Defendant was negligent in that:
  - a. It served alcohol to a visibly intoxicated person;
  - b. It failed to exact policies regarding the serving of alcohol to intoxicated customers;
  - c. It failed to enforce policies regarding the service of alcohol to intoxicated customers;
  - d. It failed to train its employees regarding the service of alcohol to intoxicated customers;
  - e. It failed to erect measures to prevent intoxicated customers from driving vehicles while intoxicated after leaving Defendant's establishment.

17. Serving intoxicating beverages to an individual in a visibly intoxicated condition with actual or constructive knowledge that the individual will operate a motor vehicle in an intoxicated condition demonstrates a complete indifference to and/or conscious disregard for the safety of others.

18. On September 25, 2024, Andrew Brill was served intoxicating beverages at defendant Frank's Lounge, LLC, while in a visibly intoxicated condition.

19. On September 25, 2024, Defendant Frank's Lounge, LLC, had actual or constructive knowledge that Andrew Brill would operate a motorcycle in an intoxicated condition immediately after departing Defendant Frank's Lounge, LLC's bar/lounge.

20. On September 25, 2024, after leaving Defendant Frank's Lounge, LLC's bar/lounge, Andrew Brill operated his motorcycle on southbound 43 in Newton County, Missouri, in an intoxicated condition and collided with another vehicle.

21. As a direct and approximate result of the Defendant's negligence Plaintiff sustained the following damages:

- a. The death and loss of his daughter, Dedrian Bridgett;
- b. Funeral and burial expenses incurred by Plaintiff;
- c. The reasonable value of the services, companionship, comfort, instruction, guidance, counsel, training and/or support of which Plaintiff has been deprived by reason of the death of his daughter, Dedrian Bridgett.

**WHEREFORE** Plaintiff prays for a judgment against Defendant in such sum as is fair and reasonable, for post-judgment interest at the legal rate, and for such further relief as is just and proper.

**COUNT II – NEGLIGENCE OF ANDREW BRILL**

**COMES NOW** Plaintiff, by and through his attorneys of record, for his cause of action of against Defendant Andrew Brill, states alleges and avers as follows:

22. Plaintiff incorporates by this reference each and every allegation contained in *General Allegations and Count I – Dram Shop Liability of Franks Lounge, LLC*.

23. Jurisdiction and venue are proper in the Circuit Court of Newton County, Missouri because Plaintiff was first injured in Joplin, Newton County, Missouri.

24. Defendant Brill is a resident of Jasper County, Missouri.

25. On September 25, 2024, Andrew Brill was operating his motorcycle southbound on MO 43 in Newton County, Missouri, colliding with a vehicle turning westbound onto 44<sup>th</sup> Street, in Joplin, Newton County, Missouri.

26. At the time and place of the collision, Defendant had the duty to exercise the highest degree of care in the operation of his motorcycle.

27. Defendant was negligent in that:

a. He failed to keep a careful lookout;

b. He knew or by the exercise of the highest degree of care could have known of the reasonable likelihood of a collision in time thereafter to have

stopped, slackened speed, and/or swerved, but Defendant failed to do so;

c. He failed to pay adequate attention to the roadway and the presence of other vehicles; and

d. He operated his motorcycle while intoxicated.

28. As a direct and approximate result of Defendant's negligence, Plaintiff sustained the following:

- a. The death and loss of his daughter, Dedrian Bridgett;
- b. Funeral and burial expenses incurred by Plaintiff;
- c. The reasonable value of the services, companionship, comfort, instruction, guidance, counsel, training and/or support of which Plaintiff has been deprived by reason of the death of his daughter, Dedrian Bridgett.

**WHEREFORE** Plaintiff prays for a judgment against Defendant in such sum as is fair and reasonable, for post-judgment interest at the legal rate, and for such further relief as is just and proper.

**AARON SACHS & ASSOCIATES, P.C.**

/s/ William Sachs

WILLIAM SACHS #75747

3271 East Battlefield Road, Suite 350

Springfield, MO 65804

Ph. (417) 889-1400 Fax (417) 889-5359

will@autoinjury.com

Attorney for Plaintiff