

ER

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss

SUPERIOR COURT
CIVIL ACTION NO.

LAURA COLE, as Personal
Representative of the Estate of JEREMY COLE,
Plaintiff

v.

LANSDOWNE BOSTON RESTAURANT, LLC
d.b.a. HOUSE OF BLUES, and
LIVE NATION ENTERTAINMENT, INC.,
Defendants.

COMPLAINT AND JURY DEMAND

The Plaintiff, LAURA COLE, as Personal Representative of the Estate of Jeremy Cole, by and through her Attorneys, Sheff and Cook, LLC, states and alleges as follows:

PARTIES

1. This action is brought pursuant to Mass. Gen. L. c. 229, § 1 et seq., to recover for the conscious pain and suffering and wrongful death of the decedent JEREMY COLE, who died on or about November 27, 2024. He was forty-nine years old.
2. Plaintiff, LAURA COLE, is an individual who resides at 176 Front Street, Exeter, New Hampshire. She is the decedent's spouse. Plaintiff was duly appointed as Personal Representative of the Estate of Jeremy Cole on or about September 18, 2025, by the State of New Hampshire, Rockingham County, 318-2025-ET-01498.
3. Defendant, LANSDOWNE BOSTON RESTAURANT, LLC, D.B.A. HOUSE OF BLUES, is a foreign limited liability company located at 9348 Civil Center Drive, Beverly Hills, California. At all times relevant herein, Defendant operated an establishment located at 15 Lansdowne Street, Boston, Massachusetts, known as the House of Blues, and its registered agent was located at 225 Cedar Hill Street #200, Marlborough, Massachusetts.
4. Defendant, LIVE NATION ENTERTAINMENT, INC., is a foreign limited liability company located at 9348 Civil Center Drive, Beverly Hills, California. At all times relevant herein, Defendant operated an establishment located at 15 Lansdowne Street, Boston, Massachusetts, known as the House of Blues, and its registered agent was located at 36 Bay State Road #2, Cambridge, Massachusetts.

JURISDICTION AND VENUE

5. Plaintiff repeats and incorporates by reference the allegations previously stated.
6. Jurisdiction is proper pursuant to Mass. G.L. c. 233A, § 3 where the Defendant entities conducted business in Suffolk County, Commonwealth of Massachusetts, they held licenses with the Massachusetts Alcoholic Beverages Control Commission for their businesses in Suffolk County, Commonwealth of Massachusetts, and each of the Defendants caused a tortious injury and death in the Commonwealth of Massachusetts.
7. Jurisdiction is also proper pursuant to Mass. G.L. c. 233A, § 3 where the Defendant entities contracted to supply entertainment services at their venue located in Suffolk County, Commonwealth of Massachusetts, and each of the Defendants caused a tortious injury and death in the Commonwealth of Massachusetts.
8. Furthermore, jurisdiction is proper pursuant to Mass. G.L. c. 233A, § 3 where the tortious driver was a resident of 200 Brownell Street, New Bedford, Massachusetts and the Defendant entities advertised the show on November 27, 2024, within the Commonwealth of Massachusetts.
9. Venue is proper in Suffolk County pursuant to Mass. G.L. c. 233A, § 8 because the Defendants have regular business in Suffolk County and the tortious actions occurred in Suffolk County at the Defendants' premises.

FACTS

10. Plaintiff repeats and incorporates by reference the allegations previously stated.
11. On or about November 27, 2024, at approximately 11:58 PM, Plaintiff DECEDENT JEREMY COLE was operating his vehicle in a safe and appropriate manner heading northbound on I-95 near Exit 83 in Newbury, Massachusetts.
12. At that same time, Keoma DUARTE ("DUARTE") was operating his vehicle southbound on the northbound side of I-95 near Exit 83 in Newbury, Massachusetts.
13. DUARTE at all relevant times was a resident of Massachusetts residing at 200 Brownell Street, New Bedford.
14. DUARTE's vehicle, which was travelling down the wrong side of the interstate (southbound on the northbound side), crashed head on into Plaintiff Decedent JEREMY COLE's vehicle at a high rate of speed, causing him to suffer consciously and die.
15. Emergency personnel arrived at the scene at approximately 12:00 AM, JEREMY COLE was pronounced deceased shortly thereafter.

16. Emergency personnel suspected that DUARTE was under the influence of alcohol.
17. DUARTE exhibited slurred speech and glossy, bloodshot eyes.
18. An odor of alcoholic beverages emanated from DUARTE's vehicle after the crash.
19. DUARTE's vehicle also contained multiple unopened, miniature 50mL bottles of alcohol and receipt from a cannabis outlet.
20. DUARTE believed he was travelling home to New Bedford after attending the House of Blues show, which is in the completely opposite direction of the crash location.
21. DUARTE was med flighted to Massachusetts General Hospital where medical records revealed that he was intoxicated with his Blood Ethanol Serum value at 218, which converts to approximately 0.19 whole blood alcohol level.
22. DUARTE was charged with felony manslaughter while operating a vehicle under the influence (G.L. c 265 §13½). The criminal case is pending in Essex Superior Court.
23. DUARTE reported he was coming from a show at the House of Blues in Boston, Massachusetts, prior to the crash.
24. On or about November 27, 2024, DEFENDANT, LANSDOWNE BOSTON RESTAURANT, LLC, D.B.A. HOUSE OF BLUES, was an owner and/or operator of the bar and music venue known as House of Blues located at 15 Lansdowne Street, Boston, Massachusetts ("Premises").
25. On or about November 27, 2024, DEFENDANT, LANSDOWNE BOSTON RESTAURANT, LLC, D.B.A. HOUSE OF BLUES was a licensee of the Alcoholic Beverage Commission and was licensed to serve alcoholic beverages on its Premises.
26. On or about November 27, 2024, DEFENDANT LIVE NATION ENTERTAINMENT, INC., was an owner and/or operator of the bar and music venue known as House of Blues located at 15 Lansdowne Street, Boston, Massachusetts.
27. DEFENDANT LIVE NATION ENTERTAINMENT, INC., facilitated and/or promoted ticket sales for DJ ODJE who performed at 15 Lansdowne Street, Boston, Massachusetts on November 27, 2024, through the early morning hours of November 28, 2024.
28. DEFENDANT LIVE NATION ENTERTAINMENT, INC., advertised for DJ ODJE prior to and on November 27, 2024, within the Commonwealth of Massachusetts.
29. On or about November 27, 2024, DUARTE, a Massachusetts resident, purchased a ticket in Massachusetts for the DJ ODJE event promoted by DEFENDANT LIVE NATION

ENTERTAINMENT, INC., and hosted by DEFENDANT, LANSLOWNE BOSTON RESTAURANT, LLC, D.B.A. HOUSE OF BLUES.

30. Doors opened for the DJ ODJE event on November 27, 2024, at 7:30 PM.
31. At all relevant times, the Defendants provided alcoholic beverages to patrons at the Premises.
32. On or about November 27, 2024, during the late evening hours, DUARTE consumed alcoholic beverages provided to him by the Defendants at the Premises.
33. On or about November 27, 2024, during the late evening hours, DUARTE left the premises and proceeded to drive his vehicle northbound toward New Hampshire.
34. On or about November 27, 2024, at approximately 11:48 PM, an emergency call was received reporting that the vehicle operated by DUARTE was traveling the wrong way on an interstate highway at a high rate of speed.
35. On or about November 27, 2024, at approximately 11:58 PM, DUARTE crashed head on into a vehicle operated by JEREMY COLE. DUARTE that was traveling southbound on the northbound side of I-95 in Newbury, Massachusetts.
36. DUARTE reported to Massachusetts State Police that he was traveling from the House of Blues after a show with his significant other.
37. The House of Blues and Newbury, Massachusetts are approximately 24 miles apart. Travel time from the House of Blues to Newbury, Massachusetts, is approximately 45 to 50 minutes.
38. DUARTE's blood labs were taken on November 28, 2024, at 1:05 AM. DUARTE was intoxicated with elevated lactate and had a Blood Ethanol Serum value at 218 which converts to approximately 0.19 whole blood alcohol content.
39. On or about November 27, 2024, during the late evening hours, Defendants, through their agents, servants, and/or employees, continued to serve alcoholic beverages to DUARTE when he was on the Premises and visibly intoxicated.
40. As a result of the carelessness, negligence, and/or gross negligence of the Defendants, DUARTE continued to be served alcoholic beverage while already intoxicated, DUARTE left the House of Blues in an intoxicated condition and thereafter negligently operated his motor vehicle, causing a fatal wrong way crash on I-95, which resulted in the wrongful death of JEREMY COLE.

41. Attached hereto and marked as Exhibit “A” is the Affidavit of Benjamin H. Duggan, Esq., made pursuant to Mass. G. L. c. 231 §60J. It is provided in compliance with the requirements of said statute and incorporated herein by reference.

***PLAINTIFF’S CLAIMS AGAINST DEFENDANT,
LANSLOWNE BOSTON RESTAURANT, LLC, D.B.A. HOUSE OF BLUES***

**COUNT I:
WRONGFUL DEATH – NEGLIGENCE – VIOLATION OF DRAM SHOP**

42. Plaintiff repeats and incorporates by reference the allegations previously stated.
43. On or about November 27, 2024 the DEFENDANT, LANSLOWNE BOSTON RESTAURANT, LLC, D.B.A. HOUSE OF BLUES, through its agents, servants and/or employees, acting during and within the scope of their employment, carelessly, negligently and unskillfully permitted, caused, and allowed the service of alcoholic beverages to DUARTE, after DUARTE was already under the influence of such alcoholic beverages and which such condition DEFENDANT, LANSLOWNE BOSTON RESTAURANT, LLC, D.B.A. HOUSE OF BLUES, its agents, servants and/or employees knew or reasonably ought to know.
44. DEFENDANT, LANSLOWNE BOSTON RESTAURANT, LLC, D.B.A. HOUSE OF BLUES, its agents, servants and/or employees, knew or should have known in the exercise of reasonable care that DUARTE, had arrived at the DEFENDANT, LANSLOWNE BOSTON RESTAURANT, LLC, D.B.A. HOUSE OF BLUES by automobile, and upon leaving, would drive his automobile on a public way.
45. During the course of serving DUARTE with alcoholic beverages, it was readily apparent, or should have been apparent in the exercise of reasonable care, to DEFENDANT, LANSLOWNE BOSTON RESTAURANT, LLC, D.B.A. HOUSE OF BLUES, its agents, servants and/or employees, that the ability of DUARTE to function and exercise judgment and control in the operation of a motor vehicle would be substantially reduced and/or impaired by reason of consumption of alcoholic beverages improperly served.
46. DEFENDANT, LANSLOWNE BOSTON RESTAURANT, LLC, D.B.A. HOUSE OF BLUES, its agents, servants and/or employees did continue to negligently serve and to provide DUARTE with alcoholic beverages, which substantially further reduced his judgment, motor function, and caused intoxication.
47. The failure of DEFENDANT, LANSLOWNE BOSTON RESTAURANT, LLC, D.B.A. HOUSE OF BLUES, its agents, servants and/or employees to exercise reasonable care by serving or continuing to serve alcoholic beverages to DUARTE constitutes carelessness, violation of statute, negligence, gross negligence, recklessness, and willful negligent conduct.

48. The tortious actions of DUARTE were reasonably foreseeable by DEFENDANT, LANSDOWNE BOSTON RESTAURANT, LLC, D.B.A. HOUSE OF BLUES, either personally or through its agents, servants and/or employees.
49. A person of ordinary prudence would not have continued to serve intoxicating liquor to DUARTE under the same or similar circumstances.
50. As a direct and proximate result of, and but-for DEFENDANT, LANSDOWNE BOSTON RESTAURANT, LLC, D.B.A. HOUSE OF BLUES' negligence and/or gross negligence, decedent, JEREMY COLE, was caused to suffer mortal fear of death, conscious pain and suffering, and ultimately death.
51. As a direct and proximate result of, and but-for DEFENDANT, LANSDOWNE BOSTON RESTAURANT, LLC, D.B.A. HOUSE OF BLUES' negligence and/or gross negligence, decedent JEREMY COLE's next of kin are entitled to the fair monetary value of the decedent pursuant to Mass. G. L. c. 229, § 2 et. seq., including but not limited to compensation for the loss of reasonably expected services, protections, care, assistance, society, companionship, comfort, guidance, counsel, advice of the decedent, punitive damages, all damages recognized under the law and to the reasonable medical, funeral, and burial expenses incurred.
52. As a direct and proximate result of, and but-for, DEFENDANT, LANSDOWNE BOSTON RESTAURANT, LLC, D.B.A. HOUSE OF BLUES' negligence and/or gross negligence, decedent JEREMY COLE's next of kin are entitled to punitive damages pursuant to Mass. G. L. c. 229, § 2.

WHEREFORE, pursuant to Mass. G. L. c. 229, § 2 et seq., Plaintiff, as Personal Representative of the Estate of Jeremy Cole, demands judgment against DEFENDANT, LANSDOWNE BOSTON RESTAURANT, LLC, D.B.A. HOUSE OF BLUES in an amount to be determined by the Court to be fair and just, including interest, costs, punitive damages, and all damages recognized under the law as well as attorney's fees as may apply.

COUNT II:
MALICIOUSNESS, WILLFULNESS, WANTONNESS, RECKLESSNESS AND/OR
GROSS NEGLIGENCE

53. Plaintiff repeats and incorporates by reference the allegations previously stated.
54. At all times relevant herein, DEFENDANT, LANSDOWNE BOSTON RESTAURANT, LLC, D.B.A. HOUSE OF BLUES, had a duty to exercise reasonable care in the service of alcohol to patrons on its Premises.
55. LANSDOWNE BOSTON RESTAURANT, LLC, D.B.A. HOUSE OF BLUES breached that duty when it willfully, wantonly, recklessly, and/or grossly negligently provided alcohol to DUARTE, an intoxicated individual who after leaving the Premises was involved in a fatal collision with JEREMY COLE.

56. As a direct and proximate result of DEFENDANT, LANSDOWNE BOSTON RESTAURANT, LLC, D.B.A. HOUSE OF BLUES' conduct, as described above, decedent, JEREMY COLE, suffered consciously and died as a result of a DEFENDANT, LANSDOWNE BOSTON RESTAURANT, LLC, D.B.A. HOUSE OF BLUES' intoxicated patron
57. As a further direct and proximate result of DEFENDANT, LANSDOWNE BOSTON RESTAURANT, LLC, D.B.A. HOUSE OF BLUES' conduct, the Plaintiff, the next of kin to JEREMY COLE, suffered the loss of the decedent, including the loss of reasonably expected services, protections, care, assistance, society, companionship, comfort, guidance, counsel, advice, and all other damages recognized under law, including medical, funeral, and burial expenses incurred.

WHEREFORE, Plaintiff, as Personal Representative of the Estate of Jeremy Cole, demand judgment against DEFENDANT, LANSDOWNE BOSTON RESTAURANT, LLC, D.B.A. HOUSE OF BLUES in an amount to be determined by the Court to be fair and just, including interest, costs, punitive damages, and all damages recognized under the law as well as attorney's fees as may apply.

***PLAINTIFF'S CLAIMS AGAINST DEFENDANT, LIVE NATION
ENTERTAINMENT, INC.***

COUNT III:

WRONGFUL DEATH – NEGLIGENCE – VIOLATION OF DRAM SHOP

58. Plaintiff repeats and incorporates by reference the allegations previously stated.
59. On or about November 27, 2024 the DEFENDANT, LIVE NATION ENTERTAINMENT, INC., through its agents, servants and/or employees, acting during and within the scope of their employment, carelessly, negligently and unskillfully permitted, caused, and allowed the service of alcoholic beverages to DUARTE, after DUARTE was already under the influence of such alcoholic beverages and which such condition DEFENDANT, LIVE NATION ENTERTAINMENT, INC., its agents, servants and/or employees knew or reasonably ought to know.
60. DEFENDANT, LIVE NATION ENTERTAINMENT, INC., its agents, servants and/or employees, knew or should have known in the exercise of reasonable care that DUARTE, had arrived at the DEFENDANT, LIVE NATION ENTERTAINMENT, INC., by automobile, and upon leaving, would drive his automobile on a public way.
61. During the course of serving DUARTE with alcoholic beverages, it was readily apparent, or should have been apparent in the exercise of reasonable care, to LIVE NATION ENTERTAINMENT, INC., its agents, servants and/or employees, that the ability of DUARTE to function and exercise judgment and control in the operation of a motor vehicle would be substantially reduced and/or impaired by reason of consumption of alcoholic beverages improperly served.

62. DEFENDANT, LIVE NATION ENTERTAINMENT, INC., its agents, servants and/or employees did continue to negligently serve and to provide DUARTE with alcoholic beverages, which substantially further reduced his judgment, motor function, and caused intoxication.
63. The failure of DEFENDANT, LIVE NATION ENTERTAINMENT, INC., its agents, servants and/or employees to exercise reasonable care by serving or continuing to serve alcoholic beverages to DUARTE constitutes carelessness, violation of statute, negligence, gross negligence, recklessness, and willful negligent conduct.
64. The tortious actions of DUARTE were reasonably foreseeable by LIVE NATION ENTERTAINMENT, INC., either personally or through its agents, servants and/or employees.
65. A person of ordinary prudence would not have continued to serve intoxicating liquor to DUARTE under the same or similar circumstances.
66. As a direct and proximate result of, and but-for DEFENDANT, LIVE NATION ENTERTAINMENT, INC. negligence and/or gross negligence, decedent, Jeremy Cole, was caused to suffer mortal fear of death, conscious pain and suffering, and ultimately death.
67. As a direct and proximate result of, and but-for DEFENDANT, LIVE NATION ENTERTAINMENT, INC.'s negligence and/or gross negligence, decedent JEREMY COLE's next of kin are entitled to the fair monetary value of the decedent pursuant to Mass. G. L. c. 229, § 2 et. seq., including but not limited to compensation for the loss of reasonably expected services, protections, care, assistance, society, companionship, comfort, guidance, counsel, advice of the decedent, punitive damages, all damages recognized under the law and to the reasonable medical, funeral, and burial expenses incurred.
68. As a direct and proximate result of, and but-for, DEFENDANT, LIVE NATION ENTERTAINMENT, INC.'s negligence and/or gross negligence, decedent Jeremy Cole's next of kin are entitled to punitive damages pursuant to Mass. G. L. c. 229, § 2.

WHEREFORE, pursuant to Mass. G. L. c. 229, § 2 et seq., Plaintiff, as Personal Representative of the Estate of Jeremy Cole, demands judgment against DEFENDANT LIVE NATION ENTERTAINMENT, INC. in an amount to be determined by the Court to be fair and just, including interest, costs, punitive damages, and all damages recognized under the law as well as attorney's fees as may apply.

COUNT IV:
MALICIOUSNESS, WILLFULNESS, WANTONNESS, RECKLESSNESS AND/OR
GROSS NEGLIGENCE

69. Plaintiff repeats and incorporates by reference the allegations previously stated.

70. At all times relevant herein, DEFENDANT, LIVE NATION ENTERTAINMENT, INC., had a duty to exercise reasonable care in the service of alcohol to patrons on its Premises.
71. LIVE NATION ENTERTAINMENT, INC. breached that duty when it willfully, wantonly, recklessly, and/or grossly negligently provided alcohol to DUARTE, an intoxicated individual who after leaving the Premises was involved in a fatal collision with JEREMY COLE.
72. As a direct and proximate result of DEFENDANT, LIVE NATION ENTERTAINMENT, INC.'s conduct, as described above, decedent, Jeremy Cole, suffered consciously and died as a result of a DEFENDANT, LANSDOWNE BOSTON RESTAURANT, LLC, D.B.A. HOUSE OF BLUES' intoxicated patron.
73. As a further direct and proximate result of DEFENDANT, LIVE NATION ENTERTAINMENT, INC.'s conduct, the Plaintiff, the next of kin to JEREMY COLE, suffered the loss of the decedent, including the loss of reasonably expected services, protections, care, assistance, society, companionship, comfort, guidance, counsel, advice, and all other damages recognized under law, including medical, funeral, and burial expenses incurred.

WHEREFORE, Plaintiff, as Personal Representative of the Estate of Jeremy Cole, demands judgment against DEFENDANT, LIVE NATION ENTERTAINMENT, INC. in an amount to be determined by the Court to be fair and just, including interest, costs, punitive damages, and all damages recognized under the law as well as attorney's fees as may apply.

Dated: May 18, 2026

Respectfully Submitted,
Plaintiff,
By her Attorneys,

Sheff & Cook, LLC

/s/ Benjamin H. Duggan

Kathy Jo Cook, BBO #631389

Benjamin H. Duggan, BBO #684981

Julie N. DeNardo, BBO #707101

Sheff & Cook, LLC

10 Tremont Street, 7th Floor

Boston, Massachusetts 02108

Phone: (617) 227-7000

Facsimile:(617)227-8833

kjcook@sheffandcook.com

bduggan@sheffandcook.com

jdenardo@sheffandcook.com

Exhibit A

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss

SUPERIOR COURT
CIVIL ACTION NO.

LAURA COLE, as Personal
Representative of the Estate of JEREMY COLE,
Plaintiff

v.

LANSDOWNE BOSTON RESTAURANT, LLC
d.b.a. HOUSE OF BLUES, and
LIVE NATION ENTERTAINMENT, INC.,
Defendants.

AFFIDAVIT OF BENJAMIN H. DUGGAN, ESQ.

Benjamin H. Duggan, Esq., an attorney duly admitted to practice before the Court of the Commonwealth of Massachusetts, being duly sworn, deposes and says:

1. I am an attorney in good standing at the bar of the Commonwealth of Massachusetts.
2. I make this Affidavit on behalf of the Plaintiff in the above-entitled matter pursuant to the requirements of Mass. G. L. c. 231, § 60J.
3. The Plaintiff, LAURA COLE, as Personal Representative of the Estate of Jeremy Cole is a resident of the State of New Hampshire residing at 176 Front Street, Exeter.
4. Defendant, LANSDOWNE BOSTON RESTAURANT, LLC, D.B.A. HOUSE OF BLUES, is a foreign limited liability company located at 9348 Civil Center Drive, Beverly Hills, California. At all times relevant herein, Defendant operated an establishment located at 15 Lansdowne Street, Boston, Massachusetts, known as the House of Blues, and its registered agent was located at 225 Cedar Hill Street #200, Marlborough, Massachusetts.

5. Defendant, LIVE NATION ENTERTAINMENT, INC., is a foreign limited liability company located at 9348 Civil Center Drive, Beverly Hills, California. At all times relevant herein, Defendant operated an establishment located at 15 Lansdowne Street, Boston, Massachusetts, known as the House of Blues, and its registered agent was located at 36 Bay State Road #2, Cambridge, Massachusetts.
6. On or about November 27, 2024, and at all relevant times, Defendants, through their agents, servants and employees, operated a music venue and bar located at 15 Lansdowne Street, Boston, Massachusetts, County of Suffolk, known as the House of Blues.
7. At all relevant times, Defendants provided alcoholic beverages to patrons on their premises.
8. On or about November 27, 2024, Defendants, through their agents, servants, and/or employees, served alcoholic beverages to Keoma Duart (“DUARTE”) when he was on the premises.
9. As a result of the carelessness, recklessness, negligence, and/or gross negligence of Defendants, their agents, servants, and/or employees, inappropriate service of alcoholic beverages was made to DUARTE after he was already under the influence of such alcoholic beverages and which such condition the agents, servants, and/or employees of the Defendants knew and reasonably ought to have known.
10. As a result of the carelessness, negligence, and/or gross negligence of DEFENDANTS, DUARTE left Defendants’ Premises in an intoxicated condition and thereafter negligently operated his motor vehicle, causing a fatal wrong way crash on I-95, which resulted in the wrongful death of JEREMY COLE.

11. In addition to his own negligence and gross negligence, the conduct of DUARTE was the direct and proximate result of his intoxication and/or being under the influence of alcoholic beverages provided by the Defendants.

Signed under the pains and penalties of perjury:

/s/ Benjamin H. Duggan

Benjamin H. Duggan, Esq.

Dated: May 18, 2026