

**IN THE CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE**

ADRIAN McPHERSON,	*
Plaintiff,	*
-VS-	* Civil Action No. JURY DEMAND
TENNESSEE FOOTBALL, INC., d/b/a TENNESSEE TITANS,	*
Defendant.	*

COMPLAINT

Adrian McPherson hereby brings his cause of action against the Tennessee Titans and respectfully shows unto this Honorable Court as follows:

JURISDICTION AND VENUE

1. Adrian McPherson is an adult resident citizen of Bradenton, Manatee County, Florida, residing at 711 65th Avenue, Drive West.
2. Defendant Tennessee Titans, is a corporation with its principal place of business in Nashville, Tennessee, and may be served with process upon its agent for service of process: CT Corporation, 800 S. Gay Street, Suite 2021, Knoxville, Tennessee 37902.
4. This cause of action arises in tort out of an accident on L. P. Field in Nashville, Davidson County, Tennessee. Jurisdiction and venue are appropriate in this cause. L. P. Field is the home stadium where the Tennessee Titans play its home football games

FACTS

5. Plaintiff, Adrian McPherson, was a professional football player with the New Orleans Saints. Mr. McPherson was listed as a quarterback on the Saints team roster. In addition to his quarter-backing duties, plaintiff was going to play in other significant capacities for the Saints.

6. Plaintiff was starting his second year of a three year contract he signed with the Saints.

7. On or about August 12, 2006, the Tennessee Titans were playing the New Orleans Saints in a pre-season football game. Plaintiff was on L.P. Field warming up for the second half when a motorized vehicle driven by T-Rac, the Tennessee Titan's mascot ran over plaintiff, causing plaintiff to sustain personal injuries.

8. As a result of the wreck, plaintiff was unable to finish the game. In fact, Plaintiff was forced to miss the pre-season and ultimately was placed on the injured reserved. Being placed on injured reserve meant that Plaintiff would be forced to miss the entire NFL season.

9. It is alleged by the Plaintiff that T-Rac, the Tennessee Titans mascot was acting as an employee or agent of the defendant. It is alleged that the negligence of the mascot and the defendant is the proximate cause of the accident, injuries and damages sustained by the plaintiff.

DUTIES AND ACTS OF NEGLIGENCE

10. Plaintiff reiterates Paragraphs 1 through 9 herein as if fully set out verbatim.

11. It is the duty of the Defendant to properly supervise and train its employees and agents to perform its duties in a safe and reasonable manner. It is the duty of the

defendant ensure that its agents and employees perform their duties in a manner as to not cause personal injury to opposing players. It was the duty of the mascot to perform his job in a manner that would not cause injury to opposing players.

12. The defendant breached its duty by allowing its mascot to operate motorized vehicles on the field while players are present, further the mascot's reckless disregard for the safety of players of the opposite team was a breach of its duty and the conduct is so reckless as to require punitive measures.

INJURIES AND DAMAGES

13. Plaintiff reiterates Paragraphs 1 through 9 herein as if fully set out verbatim.

14. As a direct and proximate result of the Defendant's alleged negligence, the Plaintiff sustained the following damages for which he brings this cause of action against the Defendant:

- (a) All past, present and future medical expenses;
- (b) Loss of earnings and earning capacity;
- (c) Loss of wages;
- (d) Pain and suffering, both past and future;
- (e) Temporary and permanent physical impairment and disability;
- (f) The loss of the pleasures and enjoyment of life; and
- (g) Punitive damages
- (h) All other damages allowed under the state of Tennessee.

RELIEF SOUGHT

WHEREFORE, PREMISES CONSIDERED, the Plaintiff, Adrian McPherson, sues the Defendant, Tennessee Football Inc., d/b/a Tennessee Titans for the total sum of \$5,000,000.00 in compensatory damages and \$15,000,000.00 in punitive damages. The Plaintiff demands a jury to try this matter.

Respectfully submitted,

HILL · BOREN P.C.

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COST BOND

We hereby acknowledge ourselves as sureties in this cause for costs not to exceed
\$1,000.00.

HILL · BOREN, P.C.

CHRISTOPHER L. TAYLOR