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U. S. DISTRICT COURT WESTERN DISTRICT OF WASHINGTON, SEATTLE

Dennis Rich,

Plaintiff,

v.

Entertainment Cruise Productions, LLC; HAL
Nederland, N.V.; Holland America Line N.V.;
Holland America Line, Inc.;

Defendants

IN ADMIRALTY AND AT LAW

Case No.

PASSENGER COMPLAINT FOR
DAMAGES DUE TO
PERSONAL INJURIES

JURY DEMANDED
(clerk's action required)

COMES NOW plaintiff and for Complaint against defendants state the following:

JURISDICTION/VENUE

1. Subject matter jurisdiction is based on 28 USC 1332 and 1333. As more fully set forth infra there is complete diversity of citizenship between plaintiff and all defendants, and the amount in controversy exceeds \$75,000.
2. Personal jurisdiction and venue over defendants is based both on defendants' doing business within this district and on defendants' stipulation in the cruise contract they issued to plaintiff.

PARTIES

- 1
- 2 3. At all times relevant plaintiff was a resident of the State of Florida and was a
- 3 passenger on the MS EURODAM.
- 4 4. At all times relevant defendant HAL Nederland, N.V was the owner and
- 5 defendant Holland America Line N.V. was the charterer of the passenger cruise
- 6 vessel MS EURODAM and each had its principal place of business in the state of
- 7 Washington and within this district. At all times relevant defendant Holland
- 8 America Line, Inc. was the agent of the vessel owner and had its principal place of
- 9 business in the state of Washington and within this district. Collectively these
- 10 defendants will be referred to as “HAL defendants”.
- 11 5. At all times relevant Entertainment Cruise Productions, LLC provided musical
- 12 entertainment shows on board the MS EURODAM and had its principal place of
- 13 business in the state of Missouri.

LIABILITY

- 14
- 15 6. On or about November 3, 2013 while a passenger aboard the MS EURODAM
- 16 plaintiff attended a musical show put on and performed by employees of
- 17 Entertainment Cruise Productions, LLC acting within the scope of their
- 18 employment.
- 19 7. The set-up and break down of equipment and seating for said musical show was
- 20 provided by employees of Entertainment Cruise Productions, LLC and/or by
- 21 employees of HAL defendants acting within the scope of their employment.
- 22 8. During said November 3, 2013 musical show plaintiff tripped and fell over a
- 23 speaker and suffered injuries.

1 9. Plaintiff's trip and fall was caused by the negligence of Entertainment Cruise
2 Productions, LLC and/or HAL defendants acting through their employees in the
3 set-up, placement, and break down of the equipment for said musical show; in
4 the lack of adequate lighting, and in the lack of any visual or other warning that
5 said speaker was located in a place where it was hard to see and was a potential
6 tripping hazard.

7 **DAMAGES TO PLAINTIFF**

8 10. As a direct and proximate result of his injuries caused by the fault of defendants
9 plaintiff incurred medical expense and other special damages, lost wages and
10 earning capacity, suffered disability and diminution of his overall health, and
11 suffered pain and loss of enjoyment of life.

12 **JURY DEMAND**

13 11. Plaintiff demands that all issues herein be tried to a jury of twelve (12).

14 **PRAYER**

15 WHEREFORE plaintiffs pray for judgment against defendants in the amount of his general
16 and special damages, to be proven at trial, together with prejudgment interest and taxable
17 costs.

18 DATED September 30, 2014

19 *s/ George H. Luhrs*

20

Law Office of George H. Luhrs
21 WSBA # 7036, Attorney for Plf
701 Fifth Avenue, Suite 4600
Seattle, WA 98104
22 Telephone (206) 632-1100
Fax: (206) 260-3177
23 E-mail: luhrsgh@gmail.com