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FILED

Nov 4 11 15 AM '08

*E. J. ...*  
CLERK OF THE COURT

Attorneys for Plaintiff Chad Lee

9 **DISTRICT COURT OF THE STATE OF NEVADA**  
 10 **FOR THE COUNTY OF CLARK**

11 Chad Lee, an individual,

) Case No.:

A574988

XIII

12 Plaintiff,

) Unlimited Jurisdiction

13 v.

) **PLAINTIFF'S COMPLAINT FOR NEGLIGENCE**

14 Thom Kaz, an individual, Performers of the  
 15 U.S., a corporation, Harrah's Entertainment,  
 16 Inc., a corporation, DOES 1 through 10 and  
 17 ROE Corporations 1 through 10, inclusive,

) **Arbitration Exemption Claimed:  
Damages exceed \$50,000**

18 Defendants.

19 \_\_\_\_\_  
 20 Plaintiff, Chad Lee ("Plaintiff"), by and through his attorneys, as and for a complaint  
 21 against Defendants, and each of them, alleges:

22 **GENERAL ALLEGATIONS**

- 23
- 24 1. All allegations of the complaint are based on information and belief and are
  - 25 likely to have evidentiary support after a reasonable opportunity for investigation and discovery.
  - 26 2. At all times herein mentioned, Plaintiff is and was a resident of Winchester,
  - 27 Virginia.
  - 28

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**PLAINTIFF'S COMPLAINT**

CLERK OF THE COURT

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1           3.     Plaintiff is informed and believes, and based upon such information and belief  
2 alleges that at all times herein mentioned, Defendant Thom Kaz was and is a resident of County  
3 of Clark, State of Nevada.  
4

5           4.     Plaintiff is informed and believes, and based upon such information and belief  
6 alleges that at all times herein mentioned, Defendant Performers of the US ("Performers") is and  
7 was a corporation, duly organized and existing under and by virtue of the laws of the State of  
8 Nevada, and authorized and doing business as a Nevada corporation under the laws of the State  
9 of Nevada.  
10

11           6.     Plaintiff is informed and believes, and based upon such information and belief  
12 alleges that at all times herein mentioned, Defendant Harrah's Entertainment, Inc. ("Harrah's") is  
13 and was a corporation, duly organized and existing under and by virtue of the laws of the State of  
14 Nevada, and authorized and doing business as a Nevada corporation under the laws of the State  
15 of Nevada.  
16

17           7.     At all times mentioned herein, Defendant Harrah's was the designer, contractor,  
18 maintainer, owner, manager, inspector, supervisor and controller of the premises and common  
19 areas generally known as the Harrah's Las Vegas, 3475 Las Vegas Boulevard South, Las Vegas,  
20 Nevada 89109.  
21

22           7.     Plaintiff is informed and believes, and based upon such information and belief  
23 alleges that on or about November 5, 2007, Defendant Thom Kaz was employed by Defendant  
24 Harrah's and Defendant Performers.  
25

26           8.     Plaintiff is informed and believes, and based upon such information and belief  
27 alleges that on or about November 5, 2007, Defendant Thom Kaz was performing a hypnosis  
28 show at Harrah's with Defendant Harrah's and Performer's knowledge, consent and permission.



1 Plaintiff from an audience to be the subject of his hypnosis show.

2 16. On that date and at that time and place, Defendant Kaz hypnotized Plaintiff.

3 17. On that date and at that time and place, Defendant Kaz hypnotized Plaintiff and  
4 then commanded Plaintiff to look between his legs and ride a prop that was placed under his  
5 chair.  
6

7 18. On that date and at that time and place, Defendant Kaz commanded Plaintiff to  
8 believe the prop was a black horse and to ride the prop off the stage when Defendant Kaz uttered  
9 the words "Harrah's Hotel and Casino."  
10

11 19. On that date and at that time and place, Defendant Kaz uttered the words  
12 "Harrah's Hotel and Casino" after hypnotizing Plaintiff.

13 20. On that date and at that time and place, Plaintiff, after being hypnotized, heard  
14 Defendant Kaz say "Harrah's Hotel and Casino" and thereafter ran off an elevated stage with the  
15 prop between his legs believing he was riding a black horse.  
16

17 21. On that date and at that time and place, Plaintiff, after being hypnotized, ran off  
18 the elevated stage causing him to crash to the ground and causing Plaintiff serious personal  
19 injuries.

20 22. On that date and at that time and place, Defendant Kaz owed Plaintiff a duty to  
21 use such skill, prudence and diligence as other members of his profession.

22 23. On that date and at that time and place, Defendant Kaz breached his duty to  
23 Plaintiff by hypnotizing Plaintiff and making Plaintiff believe he was riding a horse and then  
24 directing Plaintiff to run off an elevated stage.  
25

26 24. On that date and at that time and place, Defendant Harrah's and Performers owed  
27 Plaintiff a duty to use reasonable care to keep the premises in a reasonably safe condition.  
28

1           25.    On that date and at that time and place, Defendant Harrah's and Performers  
2 breached their duty to Plaintiff by having a hypnotist perform on an elevated stage and by failing  
3 to use reasonable care to keep the elevated stage and surrounding premises in a reasonably safe  
4 condition.  
5

6           26.    As a proximate result of the negligence, carelessness, recklessness and/or  
7 unlawfulness of Defendants, and each of them, and the resulting accident as previously alleged,  
8 Plaintiff was injured in his health, strength and activity, sustained injuries to his body and  
9 nervous system and person and sustained personal injuries all of which have caused and continue  
10 to cause Plaintiff great mental, physical and nervous pain and suffering. These injuries may  
11 result in personal disability to Plaintiff all to his general damage.  
12

13           27.    As a proximate result of the negligence of Defendants, and each of them, Plaintiff  
14 necessarily employed and will employ physicians and surgeons for medical examination,  
15 treatment and care of these injuries and incurred medical and incidental expenses and may have  
16 to incur additional like expenses in the future, all in amounts presently unknown to him. Plaintiff  
17 therefore requests leave of Court to prove that amount at trial.  
18

19           28.    As a proximate result of the negligence of Defendants, and each of them, Plaintiff  
20 was disabled and may be disabled in the future and thereby be prevented from attending to the  
21 duties of Plaintiff's usual occupation. Plaintiff has therefore lost earnings and may continue to  
22 lose earnings in the future, all in amounts presently unknown to him. Plaintiff requests leave of  
23 Court to prove that amount at trial.  
24

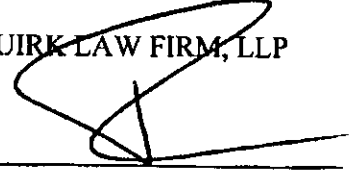
25           WHEREFORE, Plaintiff prays for judgment as follows:

- 26           1. For general damages according to proof;
- 27           2. For medical, hospital, and related expenses according to proof;
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- 3. For loss of earnings according to proof;
- 4. For costs of suit herein incurred; and
- 5. For such other and further relief as this Court may deem proper.

DATED: October 28, 2008.

QUIRK LAW FIRM, LLP  
By:   
Trevor Quirk, Esq.  
Attorney for Plaintiff

