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**ORIGINAL FILED**  
 LOS ANGELES SUPERIOR COURT

DEC 07 2007

JOHN A. CLARKE, CLERK  
*Andre Williams*  
 BY ANDRE WILLIAMS, DEPUTY

5 Attorneys for Plaintiff,  
 6 ROBERT ROSEN

INITIAL CASE MANAGEMENT REVIEW  
 AND CONFERENCE

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA** MAR 26 2008  
 9 **FOR THE COUNTY OF LOS ANGELES - WEST DISTRICT**

11 ROBERT ROSEN,

CASE NO. SC096303

12 Plaintiff,

COMPLAINT FOR DAMAGES  
FOR:

13 vs.

- 1. Assault and Battery
- 2. Negligence

14 **PIERCE BROSNAN and**  
 15 **DOES 1 - 5, Inclusive,**

16 Defendants.,

**JURY DEMAND**  
**JOHN L. SEGAL**

17  
 18 *A7270*  
*32800*  
*90265*  
 19 L. Dept O 83 Jan

**INTRODUCTORY ALLEGATIONS**

- 20 1. At all relevant times mentioned here, plaintiff ROBERT ROSEN  
 21 ("Mr. ROSEN") was a resident of Los Angeles County, California.  
 22 2. At all relevant times mentioned here, defendant PIERCE BROSNAN  
 23 ("BROSNAN") was a resident of Los Angeles County, California.  
 24 3. Plaintiff is unaware of the true names and capacities of those defendants sued  
 25 here as DOES 1-5, and therefore sues these defendants using their fictitious names. Plaintiff  
 26 will amend this complaint to allege each defendant's true name and capacity when that  
 27 information becomes known. Plaintiff is informed and believes that each of these DOE

1 defendants is legally responsible in some manner for the actions and inactions alleged here, and  
2 the injuries and damages alleged in this complaint were legally caused by these actions and  
3 inactions.

4 4. This lawsuit concerns a totally unprovoked attack by defendant BROSNAN, who  
5 starred in movies for many years as James Bond, Agent 007, on Mr. ROSEN that occurred at  
6 approximately 6:00p.m. on Friday, October 26, 2007, at or near Casa Escobar in the Malibu  
7 Shopping Center located at 3828 Cross Creek Road, Malibu, CA. 90265. The defendant and  
8 others had just left the local movie theater. Mr. ROSEN was then working as a freelance  
9 photographer who had taken several pictures of the defendant, and was then attempting to  
10 engage him in light-hearted conversation. Suddenly, and without warning, the defendant  
11 approached Mr. ROSEN and attacked him by striking him in his chest, legally resulting in his  
12 sustaining severe physical and emotional pain and injuries, including bruised ribs.

13 5. Mr. ROSEN did not consent to the defendant's unlawful touching. He did  
14 nothing to justify this attack against him. He had not been chasing, following or harassing the  
15 defendant before taking any pictures. He had not invaded the defendant's privacy in any way.  
16 He had not posed any reasonable threat of injury to the defendant or any other person so as to  
17 justify this use of force against him. The pictures were taken while Mr. ROSEN was merely  
18 standing in the parking lot of a public open air shopping center. Accordingly, the defendant's  
19 attack under these circumstances was excessive, unlawful, malicious, oppressive, and designed  
20 to inflict pain and injury against Mr. ROSEN, thereby justifying the awarding of punitive  
21 damages against the defendant.

22  
23 **FOR THE FIRST CAUSE OF ACTION**

24 **(ROBERT ROSEN AGAINST PIERCE BROSNAN AND DOES 1 - 5**

25 **FOR ASSAULT AND BATTERY)**

26 6. Mr. ROSEN incorporates by reference the allegations in paragraphs 1 through 5  
27 above as if fully set forth here.

1           7.       On or about Friday, October 26, 2007, at the time and place described above,  
 2 Mr. ROSEN was threatened with being punched, hit, struck, and attacked by defendant  
 3 BROSNAN and DOES 1 - 5, and in fact was punched, hit, struck, and attacked by BROSNAN  
 4 and DOES 1 - 5.

5           8.       Mr. ROSEN did not consent to the defendant's unlawful touching. He did  
 6 nothing to justify this attack against him. He had not been chasing, following or harassing the  
 7 defendant before taking any pictures. He had not invaded the defendant's privacy in any way.  
 8 He had not posed any reasonable threat of injury to the defendant or any other person so as to  
 9 justify this use of force against him. The pictures were taken while Mr. ROSEN was merely  
 10 standing in the parking lot of a public open air shopping center. Accordingly, the defendant's  
 11 attack under these circumstances was excessive, unlawful, malicious, oppressive, and designed  
 12 to inflict pain and injury against Mr. ROSEN, thereby justifying the awarding of punitive  
 13 damages against him.

14           9.       As a legal result of the defendant's conduct as described here, Mr. ROSEN  
 15 suffered severe physical and emotional pain and injury, including bruised ribs, all in an amount  
 16 to be determined according to proof at trial.

17           10.      As a further legal result of the conduct described here, Mr. ROSEN has incurred  
 18 expenses to hire medical practitioners, including doctors and psychologists to examine treat and  
 19 care for him. Consequently, he has incurred, and continues to incur health care expenses for  
 20 physician costs, treatment bills, and other medical expenses, each in an amount to be  
 21 determined according to proof at trial.

22           11.      As a further legal result of the above-described conduct, Mr. ROSEN has lost  
 23 earnings in the past, and is likely to lose earnings in the future, all in an amount to be determined  
 24 according to proof at trial.

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**FOR THE SECOND CAUSE OF ACTION**

**(SEAN E. RAY AGAINST ANTHONY SETTLES AND DOES 1 - 5  
FOR NEGLIGENCE)**

12. Mr. ROSEN incorporates by reference the allegations in paragraphs 1 through 11 above as if fully set forth here.

13. On or about Friday, October 26, 2007, at the time and place described above, each of the defendants BROSNAN and DOES 1 through 5 negligently, carelessly, and without reasonable care hit, struck, and punched Mr. ROSEN in his chest, resulting in his sustaining severe physical and emotional injuries as described above.

14. As a legal result of the defendants' conduct as described here, Mr. ROSEN suffered severe physical and emotional pain and injury, including bruised ribs, all in an amount to be determined according to proof at trial.

15. As a further legal result of the conduct described here, Mr. ROSEN has incurred expenses to hire medical practitioners, including doctors and psychologists to examine and treat and care for him. Consequently, he has incurred, and continues to incur, health care expenses for physician costs, treatment bills, and other medical expenses, each in an amount to be determined according to proof at trial.

16. As a further legal result of the above-described conduct, Mr. ROSEN has lost earnings in the past, and is likely to lose earnings in the future, all in an amount to be determined according to proof at trial.

WHEREFORE, Plaintiff prays for judgment against all defendants as follows:

**FOR THE FIRST CAUSE OF ACTION**

1. For general damages in an amount to be determined according to proof at trial;
2. For medical and related expenses in an amount to be determined according to proof at trial;

- 1 3. For loss of past and future earnings in an amount to be determined according to
- 2 proof at trial; and
- 3 4. For punitive damages against the defendants in an amount to be determined
- 4 according to proof at trial.

**FOR THE SECOND CAUSE OF ACTION**

- 7 1. For general damages in an amount to be determined according to proof at trial;
- 8 2. For medical and related expenses in an amount to be determined according to
- 9 proof at trial; and
- 10 3. For loss of past and future earnings in an amount to be determined according to
- 11 proof at trial.


**FOR THE ALL CAUSES OF ACTION**

- 14 1. Costs of suit;
- 15 2. For such other and further relief as the court deems just and proper; and
- 16 3. For attorney's fees, investigative expenses, expert witness expenses, and other
- 17 related costs incurred in an amount to be determined according to proof at trial.

19 DATED: December 7, 2007

Respectfully submitted,

LAW OFFICES OF  
CARL E. DOUGLAS

21  
22  
23 By:   
24 Carl E. Douglas  
25 Attorneys for Plaintiffs,  
26 ROBERT ROSEN