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IN THE CIRCUIT COURT OF GREENE COUNTY, MISSOURI

LARRY ANDERSON and TERRI ANDERSON, Plaintiffs, vs. U.P. CATERING, LLC D/B/A UNIVERSITY PLAZA AND CONVENTION CENTER, **Serve:** CSC-Lawyers Incorporating Service Company 221 Bolivar Street Jefferson City, MO 65101 MISSOURI SPORTS HALL OF FAME **Serve:** Dan Nelson 910 E. St. Louis Street Springfield, MO 65806 Defendants.	)	Case No: _____

PETITION

COUNT I

COMES NOW plaintiff Larry Anderson, by and through his counsel, Strong-Garner-Bauer, P.C., and for his cause of action in Count I against Defendants U.P. Catering, LLC d/b/a University Plaza and Convention Center, (hereinafter referred to as "University Plaza") and Missouri Sports Hall of Fame (hereinafter referred to as "MSHF"), states and alleges as follows:

1. Larry Anderson (hereinafter "Larry") and Terri Anderson (hereinafter "Terri") are residents of the State of Missouri.

2. Defendant U.P. Catering, LLC d/b/a University Plaza and Convention Center (hereinafter "University Plaza") is a limited liability company located in Springfield, Greene County,

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Missouri. Service of process can be obtained though CSC-Lawyers Incorporating Service Company, 221 Bolivar Street, Jefferson City, MO 65101. At all times referenced herein, University Plaza owned, operated, maintained and/or controlled the hotel and convention center premises located at 333 John Q. Hammons Pkwy., Springfield, MO 65806.

3. Defendant Missouri Sports Hall of Fame (hereinafter "MSHF") is a corporation located in Springfield, Greene County, Missouri. Service of process can be obtained upon Dan Nelson, 910 E. St. Louis Street, Springfield, MO 65806.

4. Jurisdiction and venue are proper in Greene County, Missouri.

5. On or about January 23, 2015, Larry Anderson was being inducted into the Missouri Sports Hall of Fame at a ceremony being held at the University Plaza and Convention Center located at 333 S. John Q. Hammons Pkwy., Springfield, MO 65806.

6. During the MSHF ceremony, the inductees, including Larry, were instructed to walk up onto an elevated platform. There were steps to walk up to get on the platform. The back of the platform had curtains and inductees could not see behind the curtains, so inductees could not see how close to the edge of the back of the stage they were.

7. At the close of the MSHF ceremony on January 23, 2015, Larry was standing on the stage and moved to get out of someone's way and abruptly fell off of the back of the stage, sustaining serious injury.

8. Prior to January 23, 2015, defendants MSHF and/or University Plaza, or their agents, had constructed the elevated platform where inductees were instructed to stand as part of the ceremony.

9. On January 23, 2015, and at all relevant times, defendants owed Larry and other

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inductees the duty to exercise reasonable care in providing a safe premises for the MSHF ceremony, including the elevated platform, and owed Larry and other inductees the duty to remove, barricade, remedy and/or warn of dangerous conditions on the property, including any dangers associated with the elevated platform.

10. The dangerous condition of the platform stage exposed people standing or walking on it, including Larry, to an unreasonable risk of falling.

11. The dangerous condition of the platform was not reasonably safe for individuals to use the platform.

12. Defendants knew or, by using ordinary care, should have known of the dangerous condition prior to inviting inductees on the stage and Larry falling.

13. The unsafe condition of the stage, as described in this Petition, caused Larry to fall and sustain the injuries set forth below.

14. Defendants University Plaza and MSHF were negligent:

a. In failing to ensure patrons, tenants, guests and persons, including Larry, did not encounter the unsafe condition of the platform stage;

b. In failing to warn of the dangerous and unsafe condition;

c. In allowing a dangerous condition on the platform stage where inductees had to stand;

d. In failing to secure the back of the platform and/or otherwise not conceal the dangerous condition with curtains;

e. In failing to remedy, barricade and/or remove the dangerous condition;

f. In constructing the elevated platform stage in a dangerous manner; and

g. All other negligent acts and omissions to be learned through the course of discovery.

15. As a direct and proximate result of defendants' neglect, Larry suffered severe injuries, including but not limited to, a broken right wrist and two fractures of his pelvis. Additionally, Larry has undergone surgery on his right wrist, has required hospitalization and attendant care and treatment. He has been rendered nervous by the fall, suffered pain and anxiety of the body and mind and has experienced emotional upset and personality changes. He has suffered all of the above injuries, pain and damages since the date of the fall, suffers them at the present time, and will suffer them in the future. Said injuries, pain, and damages being permanent, disabling and progressive.

16. Prior to the aforesaid injuries, Larry was an able-bodied man capable of doing and performing work and labor. As a direct and proximate result of his injuries, he has and in the future will suffer loss of wages, earnings, salaries and profits; and he has and in the future will suffer an impaired and diminished capacity for work, labor and pleasure.

17. By reason of his injuries, Larry has paid or become obligated to pay for, and will in the future pay or become obligated to pay for, items of expense, including obtaining and receiving medical care and treatment.

WHEREFORE, plaintiff Larry Anderson prays that he be awarded fair and reasonable damages against defendants University Plaza, and Missouri Sports Hall of Fame, for his costs expended herein, post-judgment interest, and for all other relief deemed just and proper.

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COUNT II

Consortium

COMES NOW plaintiff Terri Anderson (hereinafter referred to as "Terri") and for her cause of action in Count II of this petition, states and alleges as follows:

18. Terri Anderson repeats and realleges the allegations contained in paragraphs 1-17 in Count I of this Petition and incorporates those by reference herein.

19. At all times mentioned herein, Terri Anderson was the lawful wedded wife of Larry Anderson.

20. By reason of injuries to her husband, Terri Anderson has been and will in the future be deprived of his society, services, support, association, consortium and companionship and her enjoyment thereof has been and in the future will be lessened, impaired and diminished.

WHEREFORE, plaintiff Terri Anderson prays judgment against defendants University Plaza, and Missouri Sports Hall of Fame for fair and reasonable compensation for the damages and losses suffered as a result of defendants' negligence which injured her husband, costs expended herein, post-judgment interest, and for all other relief deemed just and proper.

STRONG, GARNER, BAUER, P.C.

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IN THE CIRCUIT COURT OF GREENE COUNTY, MISSOURI

LARRY ANDERSON and TERRI ANDERSON, Plaintiffs, vs. U.P CATERING, LLC D/B/A UNIVERSITY PLAZA AND CONVENTION CENTER, and MISSOURI SPORTS HALL OF FAME Defendants.	))))))))))))	***Filed*** ***4/25/2018*** ***Greene County Circuit Court*** ***Division 1*** Case No: 1831-CC00172

ORDER GRANTING PLAINTIFFS'
MOTION TO AMEND BY INTERLINEATION

Having considered plaintiffs' Motion to Amend by Interlineation, it is hereby ORDERED, ADJUDGED and DECREED that plaintiffs' Motion to Amend by Interlineation substituting Gregg Groves and Jacqueline Dowdy, trustees for the Revocable Trust of John Q. Hammons in place of defendant U.P. Catering, LLC, d/b/a University Plaza and Convention Center is GRANTED.

4/25/2018
DATED

Circuit Court Judge