

Marchelle Ashley Love ind. and as natural
guardian of U.L. (minor child).
Plaintiff(s),

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

vs.

General Jurisdiction Division

Sequel Tour Solutions, LLC;
Jacques Webster II a/k/a Travis Scott;
SLS Consulting, LLC; Michael Sheehan, PE

Case No.: 2020-003032-CA-01

Defendant(s).

SIXTH AMENDED COMPLAINT¹

Plaintiff(s) Marchelle Ashley Love individually and as natural guardian of U.M., by and through undersigned counsel, hereby sue Defendants, Sequel Tour Solutions, LLC, (“Sequel”), Jacques Webster II a/k/a Travis Scott (“Travis Scott”); SLS Consulting, LLC (“SLS Consulting”); and Michael Sheehan, PE for damages and alleges that:

Identification of Parties and Allegations Applicable to All Counts

1. This is an action for damages that exceeds the jurisdictional amount of Thirty Thousand Dollars (\$30,000.00).
2. At all times material to this Complaint, Plaintiff Marchelle Ashley Love was a resident of Miami-Dade County, Florida.
3. Marchelle Ashley Love was the mother and natural guardian of her minor son U.L. (DOB 01/26/2012), and is authorized to bring this action on his behalf pursuant to Florida Statutes 744.301.
4. Venue is proper in Miami-Dade County, Florida as the incident occurred in Miami-Dade County, Florida, and it is the principal place of business for SLS Consulting, LLC, and the county of residence of Michael Sheehan, P.E.

¹Amended by consent of parties pursuant to Fla. R. Civ. P. 1.190(a).

5. At all times Sequel Tour Solutions was a foreign corporation with its principal place of business in Michigan. On or about April 4, 2019 TCMZ contracted with Sequel to oversee and provide security and crowd management services at the 2019 Rolling Loud Festival in Miami-Dade County, Florida. Subsequently, Sequel Tour Solutions' employees travelled to Miami-Dade County, Florida to direct the security operations for the 2019 Rolling Loud Festival. Thus, jurisdiction over Sequel Tour Solutions and Venue in Miami-Dade County, is proper pursuant to Florida Statutes Section 48.193.

6. At all times Travis Scott was a resident of Texas, who was physically present and who travelled to the State of Florida for the express purpose of conducting business in the State of Florida and who also committed tortious acts in the State of Florida. Thus, jurisdiction over Travis Scott and venue in Miami-Dade County, is proper pursuant to Florida Statutes Section 48.193. Thus, as at all times Travis Scott was a nonresident of the State of Florida who was conducting business in the State of Florida; Travis Scott has appointed the Florida Secretary of State as his agent for substitute service of process pursuant to Florida Statutes Sections 48.181; 48.161.

7. All claims herein have been plead in the alternative and regardless of consistency as expressly permitted pursuant to Florida Rule of Civil Procedure 1.110(g).

8. The Rolling Loud Festival is an annual rap concert which draws thousands of patrons to listen to musical acts such as Lil' Wayne, Travis Scott, Young Thug, Gucci Mane and DMX.

9. The 2019 Rolling Loud Festival was held from May 10-12, 2019 at the Hard Rock Stadium located at 347 Don Shula Dr, Miami Gardens, Florida.

10. On May 10, 2019 a panic among the crowd and multiple stampedes broke out at the Rolling Loud Festival due to a false report of an active shooter resulting in injuries to a number of concertgoers.

11. Notwithstanding this prior incident, on the following day May 11, 2019, Marchelle Ashley Love was attending the Rolling Loud Festival, when a second incident incited another panic among concertgoers and a resulting stampede.

COUNT I
(Negligent Security as to Sequel Tour Solutions, LLC)

12. Plaintiff repeats and re-alleges paragraphs 1-11.

13. Pursuant to the terms of the contract between TCMZ, LLC and Sequel; Sequel assumed the duty to provide the following services with the care and skill of a reasonable security professional under like circumstances;

- a. Pre-event security planning;
- b. Commit staff to developing a security plan and providing on-site security management (Executive Management Team) to include the following:
- c. Perform Security Director Operations and planning;
- d. Conduct a site-specific security risk assessment;
- e. Develop an event security action plan;
- f. Identify appropriate local security companies, which companies shall be contracted be Rolling Loud;
- g. Develop security deployment and dot maps;
- h. On-site meetings as requested;
- i. Consultation with production on security related matters;
- j. Security budgeting;
- k. On-site security management;
- l. Provide experienced festival security managers (Management Team) to provide security oversight during the event to include the following:
- m. Ensure adequate security resources within approved budget;
- n. Supervise and manage security company needs regarding the deployment, positioning, post assignments of security personnel;
- o. Adjust and manage security deployment as needed to ensure the safety of the artists, attendees and vendors at the Event;
- p. Manage and supervise the placement of local security companies and their staff
- q. Respond and document all security related incidents;

- r. Manage entrance screening to ensure safety of guests and employees;

14. At all times material, Sequel breached these duties by engaging in the following negligent acts, modes of operation, and/or omissions:

- a. Failing to take additional corrective measures or canceling the Rolling Loud Festival, despite the occurrence of a similar prior incident involving a false shooting alarm and a panic among concertgoers on the day preceding the subject incident, May 10, 2019.
- b. Failing to ensure the security personnel it was supervising were present at their posts and remained for the duration of their shifts;
- c. Failing to adequately assess and plan for adequate security and crowd control at the 2019 Rolling Loud Festival;
- d. Failing to provide or ensure reasonable security and crowd control measures including means of safe and orderly ingress and egress into and out of the venue;
- e. Failing to direct Plaintiff to the appropriate exits;
- f. Failing to ensure other concertgoers refrained from dangerous conduct which posed a foreseeable risk of harm to other concertgoers.
- g. negligently hiring and/or retaining employees who failed to abide by Sequel's policies and procedures relating to maintaining a safe environment for patrons at Rolling Loud;

15. As a direct and proximate result of the negligent acts and/or omissions of Sequel, Marchelle Love was injured when as a result of the ensuing panic and the crowd proceeded to trample over her resulting in severe injuries.

16. As a direct and proximate result and/or concurring cause of the negligence of Sequel as described above, Marchelle Love, suffered great bodily injury and resulting physical pain and suffering, inability to prove her claim due to loss and/or destruction of evidence, disability, disfigurement,

suffering and disability, loss of the capacity for the enjoyment of life, expensive hospitalization, medical nursing care and treatment, loss of past earnings, loss of the ability to earn money in the future, and aggravation of an existing condition. The losses are permanent in nature, and the Plaintiff will suffer said losses in the future. Furthermore, the negligent acts of Sequel have combined and resulted in an indivisible harm to Marchelle Love, including bodily injury and resulting pain and suffering, disability, disfigurement, loss of capacity for the enjoyment of life, expense of hospitalization, medical and nursing care treatment, loss of earnings, loss of ability to earn money, and aggravation of a previously existing condition. The losses are either permanent or continuing and Marchelle Love will suffer the losses in the future. The actions of Sequel further caused a bodily injury, to the Plaintiff which resulted in an aggravation of an existing disease or physical defect and/or activation of a latent disease or physical defect, which condition cannot be said would have existed apart from the injury, and therefore Plaintiff is entitled for damages for the entire injury or condition suffered.

17. Pursuant to Florida Statutes 768.0415 Marchelle Ashley Love's minor child U.L. is entitled to recovery based on the significant permanent injury to his natural parent Marchelle Ashley Love for damages including damages for permanent loss of services, comfort, companionship, and society.

WHEREFORE, the Plaintiff Marchelle Love and minor child U.L. demand jury trial and judgment for damages against Sequel plus taxable costs and whatever other relief this Court deems just and proper.

COUNT II
(Negligence as to Jacques Webster II a/k/a Travis Scott)

18. Plaintiff repeats and re-alleges paragraphs 1-11.

19. At all times material Travis Scott was a professional artist known for performing in concert venues throughout the country.

20. Travis Scott was scheduled to and did perform at the 2019 Rolling Loud Festival on the night of May 11, 2019.

21. At all times as a performer in a crowded concert venue such as the 2019 Rolling Loud Festival taking place at Hard Rock Stadium in Miami Gardens, Florida; Travis Scott had an affirmative duty to

- a. refrain from conduct which would incite the crowd to violence, panic, and to otherwise refrain from behaving in a manner in which would create an unreasonable risk of foreseeable injury.²
- b. Comply with all lawful directives of law enforcement, security personnel, and the appropriate authority having jurisdiction regarding the safety and risk of his performance and actions onstage.

22. Travis Scott knew or should have known that on the preceding night of May 10, 2019, there had been numerous stampedes resulting injuries to concertgoers at the 2019 Rolling Loud Festival, resulting from a lack of crowd control and panic ensuing from what the crowd believed to be gunshots.

23. Additionally, Travis Scott was also aware of incidents involving his own prior acts which resulted in injuries when he knowingly incited his audience to violence, and assorted dangerous behavior such as;

- a. In 2015 Travis Scott was arrested by Chicago Police and charged with reckless conduct when he incited concertgoers to vault over security barricades.

²See *Walker v. Feltman*, 111 So. 2d 76, 79 (Fla. 3d DCA 1959); see also *McCain v. Fla. Power Corp.*, 593 So. 2d 500, 502 (Fla. 1992)

- b. In February of 2017 Travis Scott was charged with suspicion of inciting a riot during a performance in Bentonville Arkansas, when he was accused of encouraging concertgoers to rush the stage and bypass the security protocols to ensure safety, which resulted in injuries to several concert goers.

24. Through the course of the day on May 11, 2019, stampedes and injuries continued to occur throughout the grounds of the Rolling Loud Festival.

25. At all times Travis Scott was present and knew or should have known that the crowd was in such an agitated state that if they were further incited it could result in further stampedes and/or serious injuries.

26. At or around 11 pm on May 11, 2019, Travis Scott commenced his performance at the Rolling Loud Festival.

27. Shortly after Travis Scott's performance commenced, police officers rushed to the backstage area to request that Travis Scott stop his performance due to the crowd becoming dangerous and uncontrollable. See Fig. 1



Figure 1-Miami Gardens PD and Travis Scott backstage (2019 Rolling Loud)

28. The intervention by local police resulted in Travis Scott being required to stop his performance due to the crowd becoming uncontrollable.

29. Subsequently, despite his being ordered by the authorities to cease his continued incitement of the crowd, Travis Scott continued to verbally and physically incite the crowd to engage in a mosh pit and other hazardous activities.

30. As a direct and proximate result, the crowd once again broke into a panic and multiple stampedes broke through the 2019 Rolling Loud Festival during Travis Scott's performance. Despite the fact that Travis Scott was aware of and could clearly see concertgoers being injured, suffocating, losing consciousness, fighting, and being trampled, he continued his performance while authorities were forced to attempt to render aid to these injured concertgoers. See Fig. 2



Figure 2- Travis Scott Continues to Perform as Authorities Attempt to Rescue Injured Concertgoers

31. At all times material it was foreseeable that Travis Scott's refusal to comply with the directives of law enforcement and continued incitement of the crowd would result in foreseeable injury to concertgoers including the Plaintiff, and further constituted a breach of his duty to refrain from conduct which would incite the crowd to violence, panic, and to otherwise refrain from behaving in a manner in which would create an unreasonable risk of foreseeable injury.

32. As a direct and proximate result of the negligent acts and/or omissions of Travis Scott, Marchelle Love was injured when as a result of the ensuing panic and the crowd proceeded to trample over her resulting in severe injuries.

33. As a further direct and proximate result and/or concurring cause of the negligence of Travis Scott as described above, Marchelle Love, suffered great bodily injury and resulting physical pain and suffering, inability to prove her claim due to loss and/or destruction of evidence, disability,

disfigurement, suffering and disability, loss of the capacity for the enjoyment of life, expensive hospitalization, medical nursing care and treatment, loss of past earnings, loss of the ability to earn money in the future, and aggravation of an existing condition. The losses are permanent in nature, and the Plaintiff will suffer said losses in the future. Furthermore, the negligent acts of Travis Scott have combined and resulted in an indivisible harm to Marchelle Love, including bodily injury and resulting pain and suffering, disability, disfigurement, loss of capacity for the enjoyment of life, expense of hospitalization, medical and nursing care treatment, loss of earnings, loss of ability to earn money, and aggravation of a previously existing condition. The losses are either permanent or continuing and Marchelle Love will suffer the losses in the future. The actions of Travis Scott further caused a bodily injury, to the Plaintiff which resulted in an aggravation of an existing disease or physical defect and/or activation of a latent disease or physical defect, which condition cannot be said would have existed apart from the injury, and therefore Plaintiff is entitled for damages for the entire injury or condition suffered.

34. Pursuant to Florida Statutes 768.0415 Marchelle Ashley Love's minor child U.L. is entitled to recovery based on the significant permanent injury to his natural parent Marchelle Ashley Love for damages including damages for permanent loss of services, comfort, companionship, and society.

WHEREFORE, the Plaintiff Marchelle Love and minor child U.L. demand jury trial and judgment for damages against Travis Scott plus taxable costs and whatever other relief this Court deems just and proper.

COUNT III

(Negligence - Breach of nondelegable duty – SLS Consulting)

35. At all times material SLS Consulting was hired as the engineering company responsible for preparing the Life Safety Plan and Evaluation for the 2019 Rolling Loud Festival. **See Exhibit A – SLS Contract; Exhibit B – 2019 Rolling Loud Life Safety Plan.**

36. At no time were Plaintiffs party to this contract or otherwise in contractual privity with SLS Consulting.

37. Pursuant to the terms of SLS Consulting's agreement, it assumed by operation of contract the following nondelegable duties to foreseeable third parties including the Plaintiffs;³

- a. Provide safety engineering consulting services regarding all aspects of life safety, crowd control, crowd, management and planning the response of emergency services pertaining to the 2019 Rolling Loud Festival;
- b. review the life safety drawings for factors affecting the life safety evaluation and ability to comply with Section 12.4.1.4.3 and Section 12.4.1.4.4 of the Florida Fire Prevention Code (FFPC).
- c. review the existing operational and security plan for the event so that relevant information required to address the required conditions to be addressed required by Section 12.4.1.2 of the Florida Fire Prevention Code (FFPC) can be addressed, and address any information which may be missing from the operational and security plan.
- d. Prepare a life safety evaluation consistent with the requirements of Section 12.4.1 of the Florida Fire Prevention Code (FFPC).
- e. Prepare a Performance Based Design Brief that outlines the prescriptive code compliance requirements which will be deviated from, intended supplemental fire protection and life safety features which will be provided.

38. As a licensed professional engineer firm in the State of Florida, SLS Consulting also owed a duty of care to render its professional services in accordance with the standard of care used

³*Gordon v. Sanders*, 692 So. 2d 939, 941 (Fla. 3d DCA 1997); *CH2M Hill Se., Inc. v. Pinellas Cnty.*, 698 So. 2d 1238, 1240 (Fla. 2d DCA 1997) (“[w]here an express provision within a professional services contract provides for a heightened standard of care, however, the professional must perform in accordance with the terms of the contract”).

by similar professional engineering firms in the community under similar circumstances. and perform all of the foregoing contractual obligations with the quality of that performance comporting with the contractual terms.

39. As the engineering company charged with preparation of the Life Safety Plan and Evaluation for the 2019 Rolling Loud Festival, SLS Consulting further owed a nondelegable duty imposed by statute pursuant to Florida Fire Prevention Code Section 1.12.8 and 10.14, which required SLS Consulting to ensure that the Life Safety Plan included appropriate safety measures for *inter alia*:

- a. Access and egress movement including crowd density problems;
- b. Medical emergencies;
- c. Fire hazards;
- d. Civil or other disturbances;
- e. Relationships among facility management, event participants, emergency response agencies and others having a role in the events accommodated in the facility;

40. SLS Consulting breached the foregoing duties of care when it engaged in the following negligent acts;

- a. At all times SLS Consulting knew or should have known that the 2019 Rolling Loud Festival would include pyrotechnic and flame effects displays which posed a risk to concertgoers. Moreover, SLS Consulting knew or should have known that the Florida Fire Prevention Code Sections 65.4 (flame effects before an audience), and 65.3 (pyrotechnics before a proximate audience) required additional safety measures and crowd control requirements, and that the 2019 Rolling Loud Festival intended to make use of large amounts of pyrotechnics and flam effects. Nevertheless, SLS Consulting

failed to address or incorporate any of the precautions required pursuant to the Florida Fire Prevention Code concerning the use of flame effects and pyrotechnics.

- b. SLS Consulting's Life Safety Plan miscalculated the minimum safe crowd density for the Rolling Loud Festival.
- c. SLS Consulting failed to properly review the existing operational and security plan for the event to ensure the presence of sufficient crowd control personnel for the amount of attendees that would be expected to attend.
- d. SLS Consulting permitted unauthorized modifications of its Life Safety Evaluation. Specifically relating to the modification of crowd barriers, emergency exits, and crowd density calculations.
- e. SLS Consulting failed to alert and notify the appropriate authority having jurisdiction of the fact that the Life Safety Evaluation had been modified or deviated from after the permit for the Rolling Loud Festival had been issued, and that insufficient crowd control personnel were present to fully comply with the requirements of the plan that had been initially approved.

41. As a direct and proximate result of the foregoing acts of negligence by SLS Consulting, during the 2019 Rolling Loud Festival numerous pyrotechnic displays and flame effects were allowed be detonated before the crowd. As the Life Safety Evaluation Plan had failed to properly account for the use of these pyrotechnics and flame effects a panic and several stampedes ensued on May 10 and May 11, 2019, as a result of these detonations.

42. Additionally, as SLS Consulting had failed to properly review the operational and security plan and properly account for the relationships among the emergency response agencies and facilities management personnel. As a result, insufficient crowd control personnel were present to

address and mitigate the crowd's panic and stampedes, and the response of emergency services personnel was significantly delayed.

43. As a further direct and proximate result and/or concurring cause of the negligence of SLS Consulting as described above, Marchelle Love, suffered great bodily injury and resulting physical pain and suffering, inability to prove her claim due to loss and/or destruction of evidence, disability, disfigurement, suffering and disability, loss of the capacity for the enjoyment of life, expensive hospitalization, medical nursing care and treatment, loss of past earnings, loss of the ability to earn money in the future, and aggravation of an existing condition. The losses are permanent in nature, and the Plaintiff will suffer said losses in the future. Furthermore, the negligent acts of SLS Consulting have combined and resulted in an indivisible harm to Marchelle Love, including bodily injury and resulting pain and suffering, disability, disfigurement, loss of capacity for the enjoyment of life, expense of hospitalization, medical and nursing care treatment, loss of earnings, loss of ability to earn money, and aggravation of a previously existing condition. The losses are either permanent or continuing and Marchelle Love will suffer the losses in the future. The actions of SLS Consulting further caused a bodily injury, to the Plaintiff which resulted in an aggravation of an existing disease or physical defect and/or activation of a latent disease or physical defect, which condition cannot be said would have existed apart from the injury, and therefore Plaintiff is entitled for damages for the entire injury or condition suffered.

44. Pursuant to Florida Statutes 768.0415 Marchelle Ashley Love's minor child U.L. is entitled to recovery based on the significant permanent injury to his natural parent Marchelle Ashley Love for damages including damages for permanent loss of services, comfort, companionship, and society.

WHEREFORE, the Plaintiff Marchelle Love and minor child U.L. demand jury trial and judgment for damages against SLS Consulting plus taxable costs and whatever other relief this Court deems just and proper.

COUNT IV

(Negligence - Breach of nondelegable duty – Michael Sheehan, P.E.)

45. At all times material Michael Sheehan, PE the was sole managing member of SLS Consulting, which was a Florida limited liability company, who was providing professional engineering services within the meaning of Florida Statutes Section 621.07.⁴

46. At all times material Michael Sheehan, PE was the primary responsible engineer who was hired to preparing the Life Safety Plan and Evaluation for the 2019 Rolling Loud Festival. **See Exhibit A – SLS Contract; Exhibit B – 2019 Rolling Loud Life Safety Plan.**

47. At no time were Plaintiffs party to this contract or otherwise in contractual privity with Michael Sheehan, PE.

48. At all times Michael Sheehan, PE was personally, involved in the tortious acts alleged herein as;

- a. Michael Sheehan, PE was the primary engineer who drafted, prepared, signed and sealed the 2019 Rolling Loud Life Safety Evaluation.
- b. Michael Sheehan, PE, was personally involved in all aspects of the planning and consulting relating 2019 Rolling Loud Life Safety Evaluation.
- c. Michael Sheehan, PE, personally signed the engineering consulting proposal relating 2019 Rolling Loud Life Safety Evaluation.

⁴Pursuant to Florida Statutes Section 621.07, a practicing professional such as an engineer may be held personally liable for their own negligence irrespective of whether they practice through a corporation. *See Trikon Sunrise Assocs., LLC v. Brice Bldg. Co.*, 41 So. 3d 315, 320 (Fla. 4th DCA 2010) (“Professionals may be personally and individually liable for any negligence committed by them while rendering professional services as an employee of a corporation.”).

- d. As the sole managing member of SLS Consulting, LLC, Michael Sheehan, PE's acts were deemed to be acts of SLS Consulting, LLC. See Fla. Stat. 605.04074; 605.0407.

49. Pursuant the terms of SLS Consulting/Michael Sheehan, PE's agreement, it assumed by operation of contract the following nondelegable duties to foreseeable third parties including the Plaintiffs;

- a. Provide safety engineering consulting services regarding all aspects of life safety, crowd control, crowd, management and planning the response of emergency services pertaining to the 2019 Rolling Loud Festival;
- b. review the life safety drawings for factors affecting the life safety evaluation and ability to comply with Section 12.4.1.4.3 and Section 12.4.1.4.4 of the Florida Fire Prevention Code (FFPC).
- c. review the existing operational and security plan for the event so that relevant information required to address the required conditions to be addressed required by Section 12.4.1.2 of the Florida Fire Prevention Code (FFPC) can be addressed, and address any information which may be missing from the operational and security plan.
- d. Prepare a life safety evaluation consistent with the requirements of Section 12.4.1 of the Florida Fire Prevention Code (FFPC).
- e. Prepare a Performance Based Design Brief that outlines the prescriptive code compliance requirements which will be deviated from, intended supplemental fire protection and life safety features which will be provided.

50. As a licensed professional engineer in the State of Florida Michael Sheehan, PE also owed a duty of care to render professional services in accordance with the standard of care used by similar professional engineers in the community under similar circumstances, and perform all of the

foregoing contractual obligations with the quality of that performance comporting with the contractual terms and requirements.

51. As the engineer charged with preparation of the Life Safety Plan and Evaluation for the 2019 Rolling Loud Festival, Michael Sheehan, PE further owed a nondelegable duty imposed by statute pursuant to Florida Fire Prevention Code Section 1.12.8 and 10.14, which required Michael Sheehan, PE to ensure that the Life Safety Plan to prepare a Life Safety Evaluation which included appropriate safety measure for inter alia:

- a. Access and egress movement including crowd density problems;
- b. Medical emergencies;
- c. Fire hazards;
- d. Civil or other disturbances;
- e. Relationships among facility management, event participants, emergency response agencies and others having a role in the events accommodated in the facility;

52. Michael Sheehan, PE breached the foregoing duties of care when he engaged in the following negligent acts;

- a. At all times Michael Sheehan, PE knew or should have known that the 2019 Rolling Loud Festival would include pyrotechnic and flame effects displays which posed a risk to concertgoers. Moreover, Michael Sheehan, PE knew or should have known that the Florida Fire Prevention Code Sections 65.4 (flame effects before an audience), and 65.3 (pyrotechnics before a proximate audience) required additional safety measures and crowd control requirements, and that the 2019 Rolling Loud Festival intended to make use of large amounts of pyrotechnics and flam effects. Nevertheless, Michael Sheehan,

PE failed to address or incorporate any of the precautions required pursuant to the Florida Fire Prevention Code concerning the use of flame effects and pyrotechnics.

- b. Michael Sheehan, PE's Life Safety Plan miscalculated the minimum safe crowd density for the Rolling Loud Festival.
- c. Michael Sheehan, PE failed to properly review the existing operational and security plan for the event to ensure the presence of sufficient crowd control personnel for the amount of attendees that would be expected to attend.
- d. Michael Sheehan, PE permitted unauthorized modifications of its Life Safety Evaluation. Specifically relating to the modification of crowd barriers, emergency exits, and crowd density calculations.
- e. Michael Sheehan, PE failed to alert and notify the appropriate authority having jurisdiction of the fact that the Life Safety Evaluation had been modified or deviated from after the permit for the Rolling Loud Festival had been issued and that insufficient crowd control personnel were present to fully comply with the requirements of the plan that had been initially approved.

53. As a direct and proximate result of the foregoing acts of negligence by Michael Sheehan, PE, during the 2019 Rolling Loud Festival numerous pyrotechnic displays and flame effects were allowed be detonated before the crowd. As the Life Safety Evaluation Plan had failed to properly account for the use of these pyrotechnics and flame effects a panic and several stampedes ensued on May 10 and May 11, 2019, as a result of these detonations.

54. Additionally, as Michael Sheehan, PE had failed to properly review the operational and security plan and properly account for the relationships among the emergency response agencies and facilities management personnel. As a result, insufficient crowd control personnel were present to

address and mitigate the crowd's panic and stampedes, and the response of emergency services personnel was significantly delayed.

55. As a further direct and proximate result and/or concurring cause of the negligence of Michael Sheehan, PE as described above, Marchelle Love, suffered great bodily injury and resulting physical pain and suffering, inability to prove her claim due to loss and/or destruction of evidence, disability, disfigurement, suffering and disability, loss of the capacity for the enjoyment of life, expensive hospitalization, medical nursing care and treatment, loss of past earnings, loss of the ability to earn money in the future, and aggravation of an existing condition. The losses are permanent in nature, and the Plaintiff will suffer said losses in the future. Furthermore, the negligent acts of Sequel have combined and resulted in an indivisible harm to Marchelle Love, including bodily injury and resulting pain and suffering, disability, disfigurement, loss of capacity for the enjoyment of life, expense of hospitalization, medical and nursing care treatment, loss of earnings, loss of ability to earn money, and aggravation of a previously existing condition. The losses are either permanent or continuing and Marchelle Love will suffer the losses in the future. The actions of Michael Sheehan, PE further caused a bodily injury, to the Plaintiff which resulted in an aggravation of an existing disease or physical defect and/or activation of a latent disease or physical defect, which condition cannot be said would have existed apart from the injury, and therefore Plaintiff is entitled for damages for the entire injury or condition suffered.

56. Pursuant to Florida Statutes 768.0415 Marchelle Ashley Love's minor child U.L. is entitled to recovery based on the significant permanent injury to his natural parent Marchelle Ashley Love for damages including damages for permanent loss of services, comfort, companionship, and society.

WHEREFORE, the Plaintiff Marchelle Love and minor child U.L. demand jury trial and judgment for damages against Michael Sheehan, PE, plus taxable costs and whatever other relief this Court deems just and proper.

CERTIFICATE OF SERVICE

I hereby certify that on May 10, 2022, a true copy of the foregoing was sent via Electronic Mail and served with the Summons to:

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