

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPERIOR COURT DEPARTMENT
CIVIL ACTION NO. 23-0047A

GARY STEELE, and MARIBETH STEELE
Plaintiff

V.

JJ DONOVAN, INC. AND ROBERT
BUCKLEY,
Defendants

PLAINTIFFS' COMPLAINT WITH
JURY CLAIM

PARTIES

1. The Plaintiff, Gary Steele, is a resident of Wolcott, Connecticut.
2. The Plaintiff, Maribeth Steele, is a resident of Wolcott, Connecticut, and at all times relevant was the wife of Gary Steele.
3. The Defendant, JJ Donovan, Inc. ["JJ Donovan's"], is a Domestic Profit Corporation with a principal place of business in Boston, Suffolk County, Massachusetts.
4. JJ Donovan, Inc. does business as JJ Donovan's, a tavern located at 27 Clinton Street, Boston, Massachusetts.
5. The Defendant, Robert Buckley, is a resident of Plymouth, Massachusetts.

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FACTS

6. The Plaintiff repeats and realleges paragraphs all prior paragraphs as if expressly rewritten.
7. On or about December 4, 2022, Gary Steele was lawfully on the JJ Donovan's premises, and was celebrating the engagement of his daughter with family, including his wife, the Plaintiff Maribeth Steele.
8. In the early morning hours, there was an altercation among JJ Donovan's patrons that began in the tavern and spilled outside.
9. Gary Steele was not involved in that altercation.
10. When the altercation occurred, agents, servants, and/or employees of JJ Donovan's

turned on the lights, closed the bar, and told all patrons they were required to exit the premises.

11. Gary Steele exited the premises as instructed.
12. When Gary Steele exited, he was approached by Robert Buckley and thrown to the ground.
13. Gary Steele was catastrophically injured as a result of this incident, and as of the time this action is filed, remains at Massachusetts General Hospital.
14. As a direct and proximate result, the Plaintiff, Gary Steele, sustained severe and permanent personal injuries, was caused physical and mental pain and suffering, lost earning capacity and lost enjoyment of life.

COUNT ONE

Anderson v. JJ Donovan's Negligence

15. The Plaintiff repeats and realleges all prior paragraphs as if expressly rewritten.
16. The Defendant owed a duty of reasonable care to those lawfully on the premises, including the Plaintiff, to:
 - a. employ proper nightclub security techniques;
 - b. take reasonable steps to ensure the safety of patrons, including the Plaintiff, Gary Steele;
 - c. take reasonable steps to minimize any danger created by altercations on the premises;
 - d. ensure that patrons uninvolved in altercations were kept reasonably safe from danger created by those altercations;
 - e. ensure that patrons were not required to enter an area where an altercation had just occurred, while those involved in the altercation were still present; and
 - f. warn of dangers existing on the premises.
17. The Defendant negligently and carelessly breached its duty of care to the Plaintiff by, among other things, failing to:
 - a. employ proper nightclub security techniques;
 - b. take reasonable steps to ensure the safety of patrons, including the Plaintiff, Gary Steele;
 - c. take reasonable steps to minimize any danger created by altercations on the premises;
 - d. ensure that patrons uninvolved in altercations were kept reasonably safe from danger created by those altercations;
 - e. ensure that patrons were not required to enter an area where an altercation had just

occurred, while those involved in the altercation were still present; and
f. warn of dangers existing on the premises.

18. As a direct and proximate result of the Defendant's breach, the Plaintiff, Gary Steele, suffered severe personal injuries; lost earning capacity; incurred medical expenses and continues to suffer conscious pain and suffering.

WHEREFORE, the Plaintiff, Gary Steele, requests that judgment be entered against the Defendants, jointly and severally, in an amount to fully and adequately compensate her for her damages, plus costs and interest thereon.

COUNT TWO

Gary Steele v. Robert Buckley
Negligence

19. The Plaintiff repeats and realleges all prior paragraphs as if expressly rewritten.
20. The Defendant, Robert Buckley, owed a duty of reasonable care to the Plaintiff, including the duty to ensure that he did not touch Steele, who is in his 60s, in a way that was likely to lead to injury.
21. The Defendant, Buckley, breached his duty, and was otherwise negligent by, among other things failing to apply the proper measure of force and using more force on Steele than was necessary to mitigate any danger posed.
22. As a direct and proximate result of the Defendant's breach, the Plaintiff, Gary Steele, suffered severe personal injuries; lost earning capacity; incurred medical expenses and continues to suffer conscious pain and suffering.

WHEREFORE, the Plaintiff, Gary Steele, requests that judgment be entered against the Defendants, jointly and severally, in an amount to compensate for damages fully and adequately, plus costs and interest thereon.

COUNT THREE

Maribeth Steele v. All Defendants
Loss of Consortium

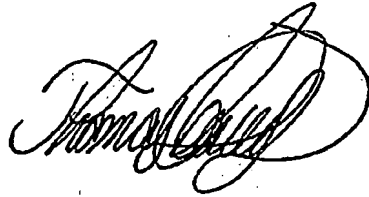
23. The Plaintiff repeats and realleges all prior paragraphs as if expressly rewritten.
24. As a direct and proximate result of the negligence of the Defendants, the Plaintiff, Maribeth Steele, has suffered a loss of the love, affection, companionship, society, and consortium of her husband, Gary Steele.

WHEREFORE, the Plaintiff, Maribeth Steele, requests that judgment be entered against the Defendants, jointly and severally, in an amount to compensate her fully and adequately for her damages, plus costs and interest thereon.

JURY CLAIM

The Plaintiffs demand a trial by jury of all issues presented in this action.

Respectfully Submitted,
The Plaintiffs,
By their attorney,

A handwritten signature in black ink, appearing to read 'Thomas E. Flaws', written in a cursive style.

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