

STATE OF SOUTH CAROLINA,)
)
COUNTY OF)
BERKELEY)

IN THE COURT OF COMMON PLEAS

Janet E. Jenkins as Personal Representative)
for the Estate of Herman Manigault, III)
Plaintiff,)

SUMMONS
2016-CP-08-1989

vs.)

FILE NO.

A Place in The Woods, Social Club, Sam)
Lawrence and Sha'Quille Mi'Leak Jamal)
Washington)
Defendant.)

16 AUG 24 PM 1:54
CLERK OF COURT
BERKELEY COUNTY, S.C.

FILED

TO THE DEFENDANT ABOVE-NAMED:

YOU ARE HEREBY SUMMONED and required to answer the complaint herein, a copy of which is herewith served upon you, and to serve a copy of your answer to this complaint upon the subscriber, at the address shown below, within thirty (30) days after service hereof, exclusive of the day of such service, and if you fail to answer the complaint, judgment by default will be rendered against you for the relief demanded in the complaint.

Charleston, South Carolina

Oana Johnson

Plaintiff/Attorney for Plaintiff

Dated: August 24, 2016

Address: 151 King St Charleston SC 29401
(843) 709-1025
oana@odjlaw.com

IN THE STATE OF SOUTH CAROLINA)
COUNTY OF BERKELEY)

Janet E. Jenkins as Personal Representative)
for the Estate of Herman Manigault, III)

Plaintiff,)

v.)

A Place in The Woods, Social Club,)
Sam Lawrence and Sha'Quille Mi'Leak)
Jamal Washington)
Defendants.)

IN THE COURT OF COMMON PLEAS)
FOR THE NINTH JUDICIAL CIRCUIT)

CASE NO.: 20116-CP-08-1989

**COMPLAINT
(JURY TRIAL DEMANDED)**

16 AUG 24 PM 1:54
CLERK OF COURT
BERKELEY COUNTY, S.C.

FILED

COMES NOW, Plaintiff Janet E. Jenkins as Personal Representative for the State of

Herman Manigault, III who alleges and say as follows:

1. Plaintiff is a resident and citizen of Charleston County, South Carolina.
2. Defendant A Place in the Woods Social Club (Club) is a company organized and existing under the laws of the State of South Carolina in the business of operating a social club.
3. Defendant Sam Lawrence is a citizen and resident of Berkeley County, South Carolina and an owner and operator of Defendant Club in charge of operations and management.
4. Defendant Sha'Quille Mi'Leak Jamal Washington is a resident of Berkeley County.
5. Jurisdiction and venue in the Berkeley County Court of Common Pleas are proper.
6. Defendant Lawrence's control, management, and operation of the Defendant A Place in the Woods amounts to total domination of the enterprise to the extent the enterprise manifested no separate corporate interests and functioned solely to achieve the purpose of the Defendant Lawrence.
7. Defendant Lawrence so controls the business decisions and actions of the Defendant A Place in the Woods that it has become an instrument or alter ego of the Defendant

Lawrence to such an extent that the retention of separate corporate personalities would promote fraud, wrong or injustice, and would contravene public policy.

8. Upon information and belief, at all times relevant hereto, Defendants Club and/or Lawrence were licensees of the Alcoholic Beverage Control Commission of the State of South Carolina and were subject to the statutes and laws of the State of South Carolina and its rules and regulations.
9. On the afternoon of August 25, 2013, Defendant Club by and through its agents, servants, and employees, served alcoholic beverages to Defendant Washington while Washington was underage and visibly intoxicated.
10. The alcoholic beverages which were sold, given, or made accessible to Washington by agents or employees of Defendant Club, contributed to and caused Washington to become further intoxicated and/or remain intoxicated at all times relevant hereto.
11. Washington remained on Defendant Club's premises, continuing to consume alcohol for several hours and until approximately 3:30 am.
12. A verbal confrontation ensued and Defendant Washington fatally shot Plaintiff's decedent.
13. That as a direct and proximate result of the collision as aforesaid, the Plaintiff has suffered damages in one or more of the following respects:
 - a. He has incurred expenses for medical care attention and attendant services;
 - b. He has incurred expenses for funeral;
 - c. The beneficiaries have been deprived of his income and support;
 - d. The beneficiaries have been deprived of his companionship, counsel and company;
 - e. The beneficiaries have (and will continue to) experience shock, grief, sorrow and wounded feelings.

f. Other serious and severe damages, all of which may be of a permanent nature.

14. That the injuries and damages suffered by Plaintiff were due to and caused by the negligence, carelessness, willfulness, wantonness and reckless of the Defendants, combining and concurring in one or more of the following respects:

AS TO DEFENDANT WASHINGTON

a. In fatally shooting Plaintiff's decedent causing his death;

AS TO DEFENDANTS CLUB AND LAWRENCE

b. In selling and serving alcoholic beverages to the Defendant Washington when they knew or should have known that he was intoxicated, in violation of the common laws of the State of South Carolina;

c. In failing to eject the Defendant Washington after allowing him to become grossly intoxicated by the continued sale of alcoholic beverages to him;

d. In failing to adequately train, supervise or monitor the activities of their bartenders, servers and employees;

e. In hiring employees who were insufficiently trained or qualified for the responsibilities of their employment;

f. In failing to implement policies and standards regarding the responsible sale and service of alcoholic beverages or, if so implemented, in failing to insure that those policies and standards were followed by their employees;

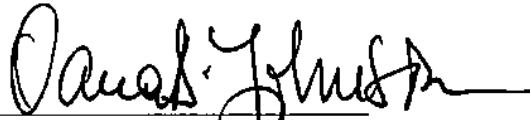
g. In failing to follow generally accepted standards of care applicable to the sale and service of alcoholic beverages to members of the public.

- h. In failing to guard or protect the public in general and the Plaintiff in particular against the criminal acts of Defendant Washington when they had actual or constructive knowledge of danger Washington presented to others;
- i. In failing to guard or protect the public in general and the Plaintiff in particular against the criminal acts of Defendant Washington when they had actual or constructive knowledge that an attack was about to occur;
- j. In failing to guard or protect the public in general and the Plaintiff in particular against the criminal acts of Defendant Washington when they had actual or constructive knowledge that Defendant Washington was armed with a weapon in the nature of a club;
- k. In failing to guard or protect the public in general and the Plaintiff's decedent in particular against the criminal acts of Defendant Washington when they had the ability to monitor supervise and control the Defendant Washington;
- l. Each of these being contrary to the statutory and common law of the State of South Carolina.

15. As a direct and proximate result of the actions of the Defendants as aforesaid, Plaintiff is informed and believes that she is entitled to a judgment against the Defendants in an amount of actual and punitive damages in an amount to be determined by the court.

WHEREFORE Plaintiffs pray for judgment against the Defendants in an amount of actual, consequential, and punitive damages, and for such other and further relief as may be awarded by this Honorable Court.

Respectfully Submitted By:



Oana D. Johnson, Esquire
151 King Street
Charleston, SC 29401
P: (843) 709-1025
oana@odjlaw.com

Lawrence C. Kobrovsky
P.O. Box 1726
Charleston, SC 29402-1726
T: (843) 853-3703
kobrovskyl@bellsouth.net

ATTORNEYS FOR PLAINTIFFS

This ___ day of August, 2016
Charleston, South Carolina

STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS

COUNTY OF Berkeley)

Janet E Jenkins as Personal Representative for the Estate of Herman Manigault, III)

CIVIL ACTION COVERSHEET

Plaintiff(s))

2016 -CP - 08- 1989

vs.)

A Place in The Woods, Social Club, Sam Lawrence and Sha'Quille Mi'Leak Jamal Washington)

Defendant(s))

Submitted By: Oana D. Johnsn, Esq.

SC Bar #: 100373

Address: 151 King Street Charleston SC 29401

Telephone #: (843) 709-1025

Fax #: -

Other: -

E-mail: oana@odjlaw.com

NOTE: The coversheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for the use of the Clerk of Court for the purpose of docketing. It must be filled out completely, signed, and dated. A copy of this coversheet must be served on the defendant(s) along with the Summons and Complaint.

DOCKETING INFORMATION (Check all that apply)

*If Action is Judgment/Settlement do not complete

- JURY TRIAL demanded in complaint. NON-JURY TRIAL demanded in complaint. This case is subject to ARBITRATION pursuant to the Court Annexed Alternative Dispute Resolution Rules. This case is subject to MEDIATION pursuant to the Court Annexed Alternative Dispute Resolution Rules. This case is exempt from ADR. (Proof of ADR/Exemption Attached)

NATURE OF ACTION (Check One Box Below)

- Contracts: Constructions (100), Debt Collection (110), General (130), Breach of Contract (140), Fraud/Bad Faith (150), Failure to Deliver/Warranty (160), Employment Discrim (170), Employment (180), Other (199)
Torts - Professional Malpractice: Dental Malpractice (200), Legal Malpractice (210), Medical Malpractice (220), Previous Notice of Intent Case # 20-NI-, Notice/ File Med Mal (230), Other (299)
Torts - Personal Injury: Conversion (310), Motor Vehicle Accident (320), Premises Liability (330), Products Liability (340), Personal Injury (350), Wrongful Death (360), Assault/Battery (370), Slander/Libel (380), Other (399)
Real Property: Claim & Delivery (400), Condemnation (410), Foreclosure (420), Mechanic's Lien (430), Partition (440), Possession (450), Building Code Violation (460), Other (499)
Inmate Petitions: PCR (500), Mandamus (520), Habeas Corpus (530), Other (599)
Administrative Law/Relief: Reinstate Drv. License (800), Judicial Review (810), Relief (820), Permanent Injunction (830), Forfeiture-Petition (840), Forfeiture-Consent Order (850), Other (899)
Judgments/Settlements: Death Settlement (700), Foreign Judgment (710), Magistrate's Judgment (720), Minor Settlement (730), Transcript Judgment (740), Lis Pendens (750), Transfer of Structured Settlement Payment Rights Application (760), Confession of Judgment (770), Petition for Workers Compensation Settlement Approval (780), Other (799)
Appeals: Arbitration (900), Magistrate-Civil (910), Magistrate-Criminal (920), Municipal (930), Probate Court (940), SCDOT (950), Worker's Comp (960), Zoning Board (970), Public Service Comm. (990), Employment Security Comm (991), Other (999)
Special/Complex /Other: Environmental (600), Automobile Arb. (610), Medical (620), Pharmaceuticals (630), Unfair Trade Practices (640), Out-of State Depositions (650)

FILED 16 AUG 24 PM 1:54 BENNETT COUNTY, SC

1500 SOCA / 234 (03/2016)

- Other (699) _____ Motion to Quash Subpoena in an Out-of-County Action (660)
 Sexual Predator (510) Pre-Suit Discovery (600)
 Permanent Restraining Order (680)

Charles Johnson

Date: 08/24/2016

Submitting Party Signature:

Note: Frivolous civil proceedings may be subject to sanctions pursuant to SCRCP, Rule 11, and the South Carolina Frivolous Civil Proceedings Sanctions Act, S.C. Code Ann. §15-36-10 et. seq.

Effective January 1, 2016, Alternative Dispute Resolution (ADR) is mandatory in all counties, pursuant to Supreme Court Order dated November 12, 2015.

SUPREME COURT RULES REQUIRE THE SUBMISSION OF ALL CIVIL CASES TO AN ALTERNATIVE DISPUTE RESOLUTION PROCESS, UNLESS OTHERWISE EXEMPT.

Pursuant to the ADR Rules, you are required to take the following action(s):

1. The parties shall select a neutral and file a "Proof of ADR" form on or by the 210th day of the filing of this action. If the parties have not selected a neutral within 210 days, the Clerk of Court shall then appoint a primary and secondary mediator from the current roster on a rotating basis from among those mediators agreeing to accept cases in the county in which the action has been filed.
2. The initial ADR conference must be held within 300 days after the filing of the action.
3. Pre-suit medical malpractice mediations required by S.C. Code §15-79-125 shall be held not later than 120 days after all defendants are served with the "Notice of Intent to File Suit" or as the court directs.
4. Cases are exempt from ADR only upon the following grounds:
 - a. Special proceeding, or actions seeking extraordinary relief such as mandamus, habeas corpus, or prohibition;
 - b. Requests for temporary relief;
 - c. Appeals
 - d. Post Conviction relief matters;
 - e. Contempt of Court proceedings;
 - f. Forfeiture proceedings brought by governmental entities;
 - g. Mortgage foreclosures; and
 - h. Cases that have been previously subjected to an ADR conference, unless otherwise required by Rule 3 or by statute.
5. In cases not subject to ADR, the Chief Judge for Administrative Purposes, upon the motion of the court or of any party, may order a case to mediation.
6. Motion of a party to be exempt from payment of neutral fees due to indigency should be filed with the Court within ten (10) days after the ADR conference has been concluded.

Please Note: You must comply with the Supreme Court Rules regarding ADR. Failure to do so may affect your case or may result in sanctions.

Common Pleas

Clerk : Mary P. Brown
300 B California Avenue
Moncks Corner, SC 29461
Phone:(843) 719-4400 Fax:(843) 719-4509

Received From: Johnson, Oana Dobrescu
151 King Street
Charleston, SC 29401
Paying for: Jenkins, As Personal Representa
Transaction Type: Payment
Payment Type: Check \$150.00
Total Paid: \$150.00

Date: 8/24/2016
Receipt #: 6069916
Clerk: c08dwilson

Reference #: 1092
Comment:
Non-Refundable

Total Received: \$150.00
Change Due: \$0.00

You may check the status of your Berkeley case at:
<http://www.sccourts.org/caseSearch/>

Case #	Caption	Previous Balance	Amount Paid	Balance Due	S/T
2016CP0801989	Janet E. Jenkins, As Personal Representative For Estate Of Herman Man VS A Place In The Woods	\$150.00	\$150.00	\$0.00	360



Total Cases: 1 \$150.00 \$150.00 \$0.00