



IN THE CIRCUIT COURT OF ST. CLAIR COUNTY
THIRTIETH JUDICIAL CIRCUIT

**GRAYSON POPE, a minor, though his
father and next friend, DAVID POPE;
DAVID POPE; and JAMIE POPE**)

Plaintiffs)

v.)

**TRUSSVILLE COUNTRY CLUB;
RIGDON, INC.; THE COUNTRY
CLUBS EAST, LLC.; FICTITIOUS
DEFENDANTS A, B, and C, intending to
refer to the entities described herein as
"Trussville Country Club;" FICTITIOUS
DEFENDANTS D, E, and F, intending to
refer to the entities described herein as
"Rigdon, Inc.;" FICTITIOUS
DEFENDANTS H, I, and J, intending to
refer to the entities described herein as
"Country Clubs East, LLC;" FICTITIOUS
DEFENDANTS K, L, and M, intending to
refer to the individuals or entities responsible
for maintaining the golf course at Trussville
Country Club; FICTITIOUS
DEFENDANTS N, O, and P, intending to
refer to the individuals or entities who
inspected, or should have inspected, the trees
and limbs that fell and injured Grayson, as
described in more detail herein;
FICTITIOUS DEFENDANTS Q, R, and
S, intending to refer to the individuals or
entities who managed the golf course at
Trussville Country Club on June 6, 2023;
FICTITIOUS DEFENDANTS T, U, and
V, intending to refer to the individuals or
entities who breached a duty to warn
Grayson of an approaching storm on June 6,
2023; FICTITIOUS DEFENDANTS W, X,
and Y, intending to refer to the individuals
or entities who breached a duty to warn
Grayson of hazardous trees or limbs on June
6, 2023; FICTITIOUS DEFENDANTS Z,
AA, AND BB, intending to refer to the**)

Case No. _____

JURY TRIAL DEMANDED

individuals or entities who breached a duty)
 to remove hazardous trees or limbs from the)
 golf course at Trussville Country Club.)
 Plaintiffs avers that the identities of the)
 Fictitious Defendants are unknown at this)
 time but will be added by amendment or)
 substitution when ascertained.)
)
Defendants.)

COMPLAINT

1. In the summer of 2023, the golf course at the Trussville Country Club featured several large water oak trees that laid in a floodway between a golf cart path and the Cahaba River. Those trees were reaching their life expectancy, had shallow root systems and relatively weak wood, were fully exposed to wind from at least one direction, and had large limbs that extended over the golf cart path. Moreover, at least one of the trees was rotten towards its base. Those trees, situated right next to the golf cart path, were hazardous trees that were at risk of falling onto the golf cart path. And that’s what happened on June 6, 2023.

2. That day, an isolated thunderstorm approached the golf course as sixteen-year-old Grayson Pope was playing a round of golf with his friends. The golf course did not have warning sirens—which have been commonplace on golf courses for decades—to alert golfers of approaching storms. Because Grayson did not have advance warning of the storm, he was stuck on the golf course when the storm hit the area. As Grayson and his friends fled to shelter in a golf cart, storm winds knocked down a water oak and limbs of a neighboring water oak that hung over the golf cart path. The heavy water oak branches struck the golf cart Grayson was driving, causing Grayson to suffer a catastrophic brain injury and other injuries that necessitated multiple surgeries, a 42-day hospital stay, and months of intensive rehabilitation. Grayson’s parents have

had to provide nursing services to Grayson, who suffered devastating, permanent injuries. Grayson and his parents now seek damages from the owners and operators of the golf course.

PARTIES

3. Plaintiff Grayson Pope (“Grayson”) is a minor proceeding through his father and next friend, David Pope (“David”). Both Grayson and David are citizens of Alabama and residents of Jefferson County, Alabama.

4. Plaintiff David Pope (“David”) is over nineteen years old and is a citizen of Alabama and resident of Jefferson County, Alabama. David is Grayson’s father.

5. Plaintiff Jamie Pope (“Jamie”) is over nineteen years old and is a citizen of Alabama and resident of Jefferson County, Alabama. Jamie is Grayson’s mother.

6. Grayson, David, and Jamie are referred to collectively herein as “Plaintiffs.”

7. Defendant Trussville Country Club is an unincorporated association that operates a golf course and country club in Jefferson and St. Clair counties and has members who are Alabama citizens. Its manager is Chris Rigdon, and process may be served on him at 7905 Roper Road, Trussville, Alabama 35173.

8. Defendant Rigdon, Inc. (“Rigdon”) is an Alabama corporation with its principal place of business in Alabama that owns the land on which the Trussville Country Club golf course is situated. Its agent for service of process is Howard Christopher Rigdon, 636 Mermont Circle, Trussville, Alabama 35173.

9. Defendant The Country Clubs East, LLC (“Country Clubs East”) is an Alabama limited liability company. On information and belief, Country Clubs East has at least one member that is an Alabama citizen. Its agent for service of process is Ronald J. Moore, Sr., P.O. Box 9717, Birmingham, Alabama 35215.

10. Fictitious Defendants A, B, and C, whose identities are not currently known, are the entities described herein as “Trussville Country Club.”

11. Fictitious Defendants D, E, and F, whose identities are not currently known, are the entities described herein as “Rigdon, Inc.”

12. Fictitious Defendants H, I, and J, whose identities are not currently known, are the entities described herein as “Country Clubs East, LLC.”

13. Fictitious Defendants K, L, and M, whose identities are not currently known, are the individuals or entities responsible for maintaining the golf course at Trussville Country Club.

14. Fictitious Defendants N, O, and P, whose identities are not currently known, are the individuals or entities who inspected, or should have inspected, the trees and limbs that fell and injured Grayson, as described in more detail herein.

15. Fictitious Defendants Q, R, and S, whose identities are not currently known, are the individuals or entities who managed the golf course at Trussville Country Club on June 6, 2023.

16. Fictitious Defendants T, U, and V, whose identities are not currently known, are the individuals or entities who breached a duty to warn Grayson of an approaching storm on June 6, 2023.

17. Fictitious Defendants W, X, and Y, whose identities are not currently known, are the individuals or entities who breached a duty to warn Grayson of hazardous trees or limbs on June 6, 2023.

18. Fictitious Defendants Z, AA, and BB, whose identities are not currently known, are the individuals or entities who breached a duty to remove hazardous trees or limbs from the golf course at Trussville Country Club.

19. The named and fictitious defendants are referred to collectively herein as “Defendants.”

JURISDICTION AND VENUE

20. This civil action is within the subject matter jurisdiction of this Court because the amount in controversy exceeds \$20,000. *See* Ala. Code § 12-11-30(1).

21. This Court has personal jurisdiction over the named defendants. Defendants’ acts and omissions occurred in Alabama and caused Grayson to suffer injury in Alabama.

22. Venue is proper in this Court. This action arises out of acts or omissions that occurred in St. Clair County and caused injury in St. Clair County. Specifically, Grayson was on a portion of a golf course that lies in St. Clair County when he was injured by a falling tree and tree limbs.

FACTS

Golfers are at risk of being catastrophically injured or killed during storms by falling trees and limbs.

23. Golf is a popular sport played outdoors in large, open spaces.

24. While golf is not a contact sport, many golfers every year suffer severe injuries while on the golf course.

25. Many of the injuries that golfers suffer are weather related.

26. If a storm comes up while golfers are out on the course, golfers may have no place to shelter from the storm given that they are often far from a building or other shelter.

27. Isolated thunderstorms are common during the warm months when golf is most commonly played.

28. Golfers who are caught on a golf course during a storm are at risk of being struck by lightning or being hit by falling trees or debris. A report by the National Severe Storms

Laboratory concluded that “[a] significant number of lightning victims in the 1990s were involved in golf” and that golf was the second most frequent activity in which lightning strike victims were involved at the time of injury.¹

29. Storm winds can knock down trees and tree limbs. Golfers are frequently injured by falling trees and limbs when they find themselves stuck on a golf course during a storm.

30. Several recent events highlight the danger of falling trees and limbs at golf courses. At the Masters golf tournament in April 2023, strong winds knocked down three large trees, which narrowly avoided hitting a group of spectators.² In August 2023, a golfer in Mississippi suffered severe injuries when a tree fell on top of his golf cart.³ A falling tree hit an employee at an Indiana golf course in September 2021.⁴ In September 2022, a golfer in Pennsylvania suffered a fatal injury when he was struck by a falling tree limb⁵ and, in May 2023, a golfer in Ohio was killed by a falling tree.⁶ In October 2020, a golf pro in Massachusetts died when a tree landed on his golf cart.⁷ In separate instances in 2017, falling trees killed two golfers in California.⁸

Golf course operators and owners have a duty to warn golfers of approaching storms.

¹ Ronald L. Holle, et al., “U.S. Lightning Deaths, Injuries, and Damages in the 1890s Compared to 1990s,” National Severe Storms Laboratory, NOAA Technical Memorandum OAR NSSL-106 at pp. 31-32 (April 2001).

² <https://www.si.com/more-sports/2023/04/08/three-giant-pine-trees-tumble-nearly-hit-spectators-at-the-masters>

³ https://www.wtva.com/news/local/man-seriously-injured-after-tree-fell-on-golf-cart-in-lee-county/article_1c6c7f02-3567-11ee-a957-1fa8b10b5fc0.html

⁴ <https://www.abc57.com/news/tree-falls-on-person-at-eberhart-petro-golf-course>

⁵ <https://www.readingeagle.com/2022/09/29/golfer-killed-tree-branch-berks/>

⁶ <https://www.wdtn.com/news/ohio/police-identify-ohio-golfer-who-was-killed-by-fallen-tree/>

⁷ <https://www.news10.com/top-stories/golf-pro-killed-by-fallen-tree-at-wyantenuck-country-club-in-great-barrington/>

⁸ <https://www.nbcbayarea.com/news/local/woman-struck-killed-by-falling-tree-in-san-ramon/44243/>; <https://kesq.com/news/2018/03/27/family-of-man-struck-by-tree-at-palm-springs-golf-course-files-lawsuit/>

31. Golf course operators and owners have a duty to warn golfers of approaching storms.

32. It is foreseeable that golfers could be injured in storms. Golfers would have little advance warning from observation of weather conditions of isolated storms and, without warning from the golf course operator or owner, would likely be unable to get to shelter before such a storm appears over the golf course.

33. Because of the safety hazards that storms present to golfers, reasonably prudent golf course operators and owners install sirens at golf courses that warn golfers of approaching storms. Many of those systems automatically sound an alarm if lightning is detected within a given distance of the golf course. Other systems measure atmospheric conditions (such as the build-up of electricity) to predict when and where lightning will strike. Given that lightning is often accompanied by strong winds, these warning systems, in addition to protecting golfers from lightning, serve to protect golfers from winds that could knock down trees and limbs.

34. Automated storm warning sirens have been available at least since the 1970s⁹ and they have been common on golf courses since at least the 1990s. *See* Golf Pass, “Don’t mess with lightning (Aug. 26, 2019) (“Today, most golf courses are equipped with lightning detection or early warning predictive technology.”);¹⁰ Florida State Golf Ass’n, “Rules of Golf – Florida’s Challenging Weather” (June 1, 2018) (“most golf courses in Florida have lightning detection systems”).¹¹

⁹ <https://www.thorguard.com/bio.htm>

¹⁰ <https://www.golfpass.com/travel-advisor/articles/lightning-golf-course-east-lake-rtj-trail>

¹¹ <https://www.fsga.org/News/Details/1442>

35. Many golf courses across Alabama have storm warning systems. For example, the Birmingham Country Club¹² and all eleven courses on Alabama's Robert Trent Jones Golf Trail,¹³ have such systems.

36. Storm warning systems are reasonably priced. Though the prices of these systems vary, they can cost from hundreds to thousands of dollars.¹⁴

37. Other golf course operators use other means to protect golfers from approaching storms, such as sending text messages to golfers who are on a course or closing the course when a storm is anticipated.

Golf course operators and owners have a duty to remove hazardous trees and tree limbs from a golf course.

38. In addition to installing storm warning systems, golf course operators and owners have a duty to regularly inspect trees on golf courses and remove any hazardous trees or limbs.

39. Falling trees or limbs can cause catastrophic or even fatal injuries.

40. According to the Southeast Region agronomist for the United States Golf Association, "Safety for golfers and staff is a critical consideration. It's important to monitor trees that are inherently risky. Removing dead or damaged limbs and trees is essential."¹⁵

41. Trees and tree limbs may foreseeably cause injury under a number of circumstances, such as when the tree has reached its life expectancy, the tree is near an area where golfers frequently travel, the tree has started to rot, the tree had been injured by flooding or other weather events, the tree has a shallow root system, or the tree's species is recognized as being prone to falling.

¹² <https://www.ccbham.org/about-us/lightning-policy> (referring to the course's "Lightning Protection System")

¹³ <https://www.golfpass.com/travel-advisor/articles/lightning-golf-course-east-lake-rtj-trail>

¹⁴ <https://suitelifeum.com/wp-content/uploads/2021/03/Lightning-Safety.pdf>

¹⁵ <https://www.youtube.com/watch?v=0Z0E67dDDGA>

42. Tree limbs that extend over walking trails or golf cart paths merit special attention from golf course operators. Those limbs, which hang directly over paths where golfers are likely to pass by, present an increased risk of injuring golfers. It is reasonably foreseeable that the falling of such limbs could seriously injure or kill golfers.

43. Trees growing in or over saturated soil merit special attention. Tree roots require exposure to oxygen, and roots are deprived of oxygen in soil that is saturated with water. Tree roots will generally not grow into soil that is saturated. Therefore, a tree will have a shallow root system if the ground a few feet under the base of the tree is permanently saturated.

44. Trees that have been disturbed by floodwaters similarly merit special attention from golf course operators because those trees' roots could have been injured or killed when floodwaters saturated the ground and blocked oxygen from reaching those roots.

45. Some species of trees are more hazardous than others. Water oaks (*Quercus nigra*) are among the more hazardous trees. Water oaks present an increased risk of falling or of having limbs break because their wood is relatively weak when compared to other oak species. Water oaks are also relatively short-lived trees, often living only 30-50 years, and, as those trees approach their life expectancy, their wood starts to rot from the inside out, which makes their limbs more likely to break. Water oaks' root systems are shallow, making them more prone than other trees to become uprooted in a storm.

46. According to the U.S. Forest Service, the water oak "often begins to break apart just as it grows to a desirable size."¹⁶ The U.S. Forest Service further says of water oaks, "[h]orizontal branches droop toward the ground as additional growth adds to their weight. They can split from the tree in wind storms, deforming the plant and beginning the process of decay

¹⁶ U.S. Forest Service, "Quercus nigra – Water Oak," Fact Sheet ST-553 (Oct. 1994)

and decline. They appear to be poor compartmentalizers of decay since many are hollow at 40 years old.”¹⁷

47. Even though water oaks have relatively weak wood and shallow root systems, they may still weigh thousands of pounds. A single limb from a water oak may weigh easily over a hundred pounds. A golfer hit by a falling water oak tree or limb could foreseeably suffer severe or even fatal injuries.

48. An arborist interviewed about tree safety even commented, “90 percent of the time when it comes to water oaks . . . I would suggest to have them removed. . . .It’s not a matter of when it’s going to come down, it’s a matter of we know it’s coming down.”¹⁸

Trussville Country Club and Country Clubs East operate a golf course (the “Golf Course”) on property owned by Rigdon.

49. Trussville Country Club is an unincorporated association that for years has provided its members recreational and social activities through a golf course (the “Golf Course”), restaurant, and banquet room.

50. Rigdon owns the land on which the Golf Course is situated.

51. In 2021, Trussville Country Club announced that it was associating with Grayson Valley Country Club to form Country Clubs East. With that association, members of Trussville Country Club and Grayson Valley Country Club were allowed to use amenities at each country club, including the Golf Course.

52. Country Clubs East assumed a role, along with Trussville Country Club, in managing, maintaining, and supervising the Golf Course. Beginning in 2021, the Golf Course

¹⁷ *Id.*

¹⁸ <https://www.klfy.com/local/local-arborist-talks-dangers-of-water-oak-trees-during-a-hurricane/>

and courses at Grayson Valley Country Club operated under the management and supervision of the same director of operations and director of golf, Chris Rigdon.

53. Country Clubs East and Trussville Country Club, by operating the Golf Course, had a duty to use reasonable care and diligence to keep the Golf Course in a safe condition and warn invitees of dangers.

54. Rigdon, as the owner of the Golf Course, similarly had a duty to use reasonable care and diligence to keep the Golf Course in a safe condition and warn invitees of dangers.

55. Trussville Country Club and Country Clubs East organize golf tournaments and other golfing events at the Golf Course, offer golf instruction and training, make golf carts available to golfers, and are responsible for maintaining the Golf Course.

56. Trussville Country Club and Country Clubs East will close all, or part of the Golf Course based on weather conditions and will sometimes provide notice of course conditions that could affect golf play or safety. For example, they announced on a publicly accessible Facebook page in December 2022 that certain holes at the Golf Course would not be open for play because the ground was frozen.

57. In June 2023, the Golf Course was open to members of Trussville Country Club and members of Country Clubs East as well as to non-members who pay a fee for use of the Golf Course. Trussville Country Club charged non-members who wish to play 18 holes of golf, with a cart, \$45 on Monday – Thursday and \$50 on Friday – Sunday. Trussville Country Club generated profits by charging non-members those fees.

The Golf Course has repeatedly flooded and has a row of water oak trees in a floodway beside a golf cart path.

58. The Golf Course is an 18-hole course. Much of the Golf Course lies in Jefferson County but the eastern part of the Golf Course lies in St. Clair County.

59. The Cahaba River runs alongside much of the eastern side of the Golf Course. The eastern edge of the Golf Course lies in a floodway that extends from the river. The entire portion of the Golf Course that lies in St. Clair County is situated in either the floodway or a flood plain.

60. Portions of the Golf Course that are near the river have repeatedly flooded after rainstorms. In 2020, for example, the river overflowed following heavy rain and completely covered the eastern edge of the Golf Course in water.

61. The golf cart path that runs between the river and the sixteenth hole lies in the floodway that extends from the river. That cart path was completely submerged in water during the 2020 flood.

62. A row of trees, including at least two large water oak trees (the “Water Oaks”), lie between the river and that golf cart path that runs near the sixteenth hole. Prior to June 6, 2023, the base of the Water Oaks had been completely surrounded by water during flooding.

63. Given the close proximity to the river, the water table under the Water Oaks could be expected to be high. The high water table would prevent the Water Oaks from having a deep root system. Indeed, the Water Oak that uprooted had an especially shallow root system – perhaps only about 18 inches deep.

64. One of the Water Oaks also had rotten wood near its base, as indicated by the fact that, as shown in the post-accident picture below, a portion of the base of the tree split off from the rest of it tree when the tree uprooted.



65. The same Water Oak that had rotten wood towards its base also had a spiral groove around the lower part of the trunk. Such a groove could be a further indicator of tree decay or previous lightning damage.

66. The Water Oaks were large, mature trees, as shown in the post-accident picture below, and weighed thousands of pounds.



67. The Water Oaks were, more likely than not, nearly 50 years old or older.
68. The tall height of the Water Oaks made them more likely to fall given the shallow depth of their roots.
69. On June 6, 2023, one of the Water Oaks had large limbs hanging over the golf cart path.
70. The Water Oaks were next to an open grassy area that lacked trees or other barriers that could protect the Water Oaks from high winds.
71. Trussville Country Club, Country Clubs East, and Rigdon knew prior to June 6, 2023, that the Oak Trees had been surrounded by water during earlier flooding and that one of the Water Oaks had large limbs hanging over the golf cart path. They should have known about the rotten wood towards the base of one of the Water Oaks.

72. A reasonable golf course operator or owner would hire an arborist to inspect trees on the golf course. A reasonable arborist would have identified the Water Oaks as potential fall risks given their age and size, proximity to the river (which could lead to a high water table and consequently shallow root systems), lack of trees or structures that could block wind from some directions, and signs of rot.

Grayson was an invitee at the Golf Course.

73. On June 6, 2023, sixteen-year-old Grayson went to play golf with several friends at the Golf Course.

74. Grayson was a rising junior at Hewitt-Trussville High School. He was a baseball standout who had already committed to play baseball at the University of Tennessee and was recognized as a member of the 2023 AL.com All-Birmingham Terrific 20 baseball team.

75. Because Grayson was not a member of the Trussville Country Club or of Country Clubs East, he paid a fee to play golf at the Golf Course. Grayson was thus a business invitee of Trussville Country Club, Country Clubs East, and Rigdon.

76. When Grayson started playing golf at the Golf Course, the weather was calm and no storm clouds were visible in the distance.

77. Grayson did not know when he walked onto the Golf Course that an isolated thunderstorm would come over the Golf Course later that day. Nor would a reasonable golfer-invitee be expected to anticipate an isolated thunderstorm over the Golf Course that day.

78. Trussville Country Club, Country Club East, and Rigdon did not provide Grayson any warning that a thunderstorm was likely to appear over the Golf Course.

79. Nor was the Golf Course equipped with any kind of warning sirens on June 6, 2023, that would have alerted golfers like Grayson of an approaching thunderstorm.

80. Grayson is not an arborist or forester. Grayson on June 6, 2023, did not have any knowledge about the dangers the Water Oaks presented due to their relatively weak wood, short life expectancy, likelihood of rotting at a fairly young age, or shallow roots. Nor could a reasonable golfer-invitee be expected to know those facts about the Water Oaks.

81. Nor was Grayson aware of the rot on one of the Water Oaks.

A thunderstorm appeared over the Golf Course while Grayson was playing golf.

82. While Grayson and his friends were on the Golf Course, an isolated thunderstorm approached the Golf Course from the west.

83. Weather conditions deteriorated quickly. Neither Grayson nor a reasonably prudent golfer would have been able to anticipate the storm from personal observations of weather conditions in time to find shelter before the storm appeared over the Golf Course.

84. The Golf Course did not have any storm warning sirens that would have alerted Grayson of an approaching storm, and neither Trussville Country Club, Country Clubs East, nor Rigdon texted Grayson or otherwise alerted him of an approaching storm.

85. Because Grayson did not receive advance warning of the approaching storm, he was on the Golf Course when the storm rolled over the Golf Course

86. As the thunderstorm beat down on the Golf Course, Grayson and his friends got in golf carts to drive away to safety.

87. Grayson and his friends drove along the Golf Course's paved golf cart path as they attempted to drive to safety.

88. When Grayson was on the golf cart path near the sixteenth hole, storm winds uprooted one of the Water Oaks. That tree fell onto the golf cart path, as shown in the picture below.



89. As shown in the picture above, large limbs of a second Water Oak that extended over the cart path also broke and fell to the ground. Those limbs weighed, at a minimum, hundreds of pounds.

90. The uprooted Water Oak and the large Water Oak limbs fell on or near the golf cart that Grayson was driving and crushed the roof of the golf cart, as shown in the picture below.



91. Grayson suffered severe injury when the Water Oaks struck the golf cart.

92. Among other injuries, Grayson suffered a traumatic brain injury.

93. Grayson was hospitalized at UAB for 42 days and underwent multiple surgeries before being transferred to the Shepherd Center, a brain and spinal cord rehabilitation center in Atlanta.

94. Grayson underwent rehabilitation at the Shepherd Center for several months.

95. Many of Grayson's injuries are permanent and debilitating. His parents, David and Jamie, must provide him nursing care at home.

COUNT I - NEGLIGENCE

96. Plaintiffs re-allege all allegations stated above.

97. Defendants (including fictitious Defendants) owed a duty to Grayson and other business invitees to use reasonable care and diligence to keep the Golf Course safe or warn of dangers.

98. Defendants (including fictitious Defendants) failed to exercise reasonable care in maintaining the Golf Course by

a. failing to install and maintain a storm warning siren on the Golf Course that would alert golfers of approaching storms.

b. Failing to remove the Water Oaks and/or hazardous limbs from the Water Oaks or, at a minimum, re-routing the golf cart path away from the Water Oaks.

99. Because Defendants failed to exercise such reasonable care, Grayson was on the Golf Course when an isolated thunderstorm appeared and suffered catastrophic injuries when storm winds knocked down the Water Oaks onto the golf cart that Grayson was driving. David and Jamie have had to, and will continue, to provide nursing services to Grayson, who suffered devastating injuries.

COUNT II - WANTONNESS

100. Plaintiffs re-allege all allegations stated above.

101. Defendants (including fictitious Defendants) owed a duty to Grayson and other business invitees to use reasonable care and diligence to keep the Golf Course safe or warn of dangers.

102. Defendants (including fictitious Defendants) were consciously aware that the Water Oak trees presented a risk of serious injury to death to golfers during high winds but failed to keep the Golf Course safe or warn of dangers by

a. Failing to install and maintain a storm warning siren on the Golf Course that would alert golfers of approaching storms.

b. Failing to remove the Water Oaks and/or hazardous limbs from the Water Oaks or, at a minimum, re-routing the golf cart path away from the Water Oaks.

103. Because Defendants (including fictitious Defendants) failed to exercise such reasonable care, Grayson was on the Golf Course when an isolated thunderstorm appeared and suffered catastrophic injuries when storm winds knocked down the Water Oaks onto the golf cart that Grayson was driving. David and Jamie have had to, and will continue, to provide nursing services to Grayson, who suffered devastating injuries.

WHEREFORE Grayson demands judgment against Defendants (including fictitious Defendants) for all damages available at law, including damages for past and future medical expenses, pain and suffering, mental anguish, loss of enjoyment of life, lost income, as well as punitive damages and costs. David and Jamie demand judgment against Defendants (including fictitious Defendants) for all damages available at law, including the value of past and future

nursing services they have provided, and will provide in the future, to Grayson, and punitive damages.

January 17, 2024

/s/ D. Leon Ashford
Attorney for Plaintiffs

PLAINTIFFS DEMAND A JURY TRIAL ON ALL ISSUES SO TRIABLE.

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