

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

MICHAEL CHIESA,

Plaintiff,

- against -

CONOR MCGREGOR, MCGREGOR SPORTS AND
ENTERTAINMENT, LLC, JOHN DOES 1-20, names
being fictitious as unknown at this time, BARCLAYS
CENTER, BSE GLOBAL, and JOHN DOES 21-50,
names being fictitious, as unknown at this time,

Defendants.

Index No.:

Date Purchased:

SummonsPlaintiff designates Kings
County as place of trial.

The basis of venue is:

Location of Residence

Defendant resides at:

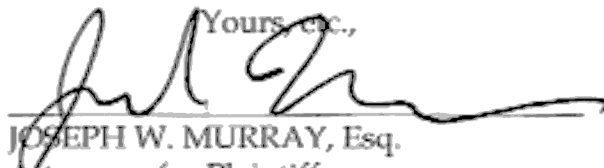
620 Atlantic Avenue,
County of Kings

To the above named Defendant(s):

You are hereby summoned to answer the complaint in this action, and to serve a copy of your answer, or if the complaint is not served with this summons, to serve a notice of appearance on the plaintiff's attorney(s) within twenty days after the services of this summons exclusive of the day of service, where service is made by delivery upon you personally within the state, or within 30 days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: Queens County, New York
September 10, 2018

Yours, etc.,


JOSEPH W. MURRAY, Esq.
Attorneys for Plaintiff
125-10 Queens Blvd., Ste. 5
Kew Gardens, NY 11415

TO: Service list next page:

Conor McGregor
3 Churchfield
The K Club
Straffan
CO. Kildare
W23 YP30

McGregor Sports and Entertainment, LLC
Charter House
5 Pembroke Row
Dublin 2
D02 FW61

BARCLAYS Center - *VIA SECRETARY OF STATE*
620 Atlantic Avenue
Brooklyn, NY 11217

BSE Global - *VIA SECRETARY OF STATE*
168 39th Street, 7th Floor
Brooklyn, NY 11232

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS-----X
MICHAEL CHIESA,

Index No.:

Plaintiff,

- against -

VERIFIED COMPLAINT

CONOR MCGREGOR, MCGREGOR SPORTS
AND ENTERTAINMENT, LLC, JOHN DOES
1-20, names being fictitious as unknown at this
time, BARCLAYS CENTER, BSE GLOBAL,
and JOHN DOES 21-50, names
being fictitious, as unknown at this time,

Defendants.
-----X

Plaintiff, MICHAEL CHIESA, complaining of the defendants, by his
attorney, JOSEPH W. MURRAY, ESQ., upon information and belief, respectfully shows
to this Court and allege the following:

1. That at all times hereinafter mentioned, plaintiff MICHAEL CHIESA was
and still is a resident of the State of Washington.
2. That at all times hereinafter mentioned, defendant CONOR MCGREGOR
(hereinafter, "McGregor") was and is a resident of the Country of Ireland.
3. That at all times hereinafter mentioned, defendant MCGREGOR SPORTS
AND ENTERTAINMENT, LLC (hereinafter, "SPORTS ENTERTAINMENT"), is a
domestic and/or foreign corporation doing business in the State of New York.

4. That at all times hereinafter mentioned, the defendant BARCLAYS CENTER (hereinafter, "BARCLAYS") was and still is a domestic/and or foreign corporation doing business in the State of New York.

5. That at all times hereinafter mentioned, the defendant BARCLAYS is a venue and/or facility conducting business and located at 620 Atlantic Avenue, County of Kings, State of New York (the "subject location").

6. That at all times hereinafter mentioned, the defendant BARCLAYS owned the subject location.

7. That at all times hereinafter mentioned, the defendant BARCLAYS operated the subject location.

8. That at all times hereinafter mentioned, the defendant BARCLAYS maintained the subject location.

9. That at all times hereinafter mentioned, the defendant BARCLAYS controlled the subject location.

10. That at all times hereinafter mentioned, the defendant BARCLAYS managed the subject location.

11. That at all times hereinafter mentioned, the defendant BSE GLOBAL (hereinafter, "BSE") was and still is a domestic/and or foreign corporation doing business in the State of New York.

12. That at all times hereinafter mentioned, the defendant BSE owned the subject location.

13. That at all times hereinafter mentioned, the defendant BSE operated the subject location.

14. That at all times hereinafter mentioned, the defendant BSE maintained the subject location.

15. That at all times hereinafter mentioned, the defendant BSE controlled the subject location.

16. That at all times hereinafter mentioned, the defendant BSE managed the subject location.

17. That at all times hereinafter mentioned, defendant JOHN DOES 1-20 are friends and/or colleagues and/or cohorts and/or co-conspirators of defendant McGREGOR.

18. That at all times hereinafter mentioned, defendants JOHN DOES 21-50 are employees and/or agents of defendant BARCLAYS and/or BSE, whose job duties include but are not limited to security matters and the protection of both patrons and performers at BARCLAYS and BSE.

19. That on April 5, 2018, at the subject location, plaintiff was attacked, assaulted and/or battered by defendants McGREGOR individually, and McGREGOR on behalf of SPORTS ENTERTAINMENT, and JOHN DOES 1-20 at the subject location, causing serious personal, economic, and other injury to said plaintiff.

20. That on April 5, 2018, defendants JOHN DOES 21-50 failed to act to prevent defendants McGREGOR individually, and McGREGOR on behalf of SPORTS

ENTERTAINMENT, and JOHN DOES 1-20 from entering what should have been a secured area, failed to prevent or intervene in an altercation initiated by McGREGOR individually, and McGREGOR on behalf of SPORTS ENTERTAINMENT, and JOHN DOES 1-20, wherein plaintiff and others were injured, and JOHN DOES 21-50 failed to adequately perform their security duties.

21. That on April 5, 2018, McGREGOR individually, and McGREGOR on behalf of SPORTS ENTERTAINMENT, AND JOHN DOES 1-20, without permission or suitable reason, and without provocation, entered a room and/or area at the subject location and did take a hand truck, a barricade, and/or other heavy objects, and throw it/them into a bus in which plaintiff and others were occupying, causing property damage to the bus and physical damage and injuries to the plaintiff.

AND FOR A FIRST CAUSE OF ACTION: NEGLIGENCE

22. Plaintiff repeats, reiterates and re-alleges each and every allegation contained in the paragraphs set forth above with the same force and effect as if more fully set forth herein.

23. That at all times hereinafter mentioned, the defendants BARCLAYS, BSE, AND JOHN DOES 21-50 owed a duty to plaintiff to engage in proper security measures to protect the plaintiff and other patrons of the subject location, and failed to do same.

24. That at all times hereinafter mentioned, the defendant McGREGOR individually, and McGREGOR on behalf of SPORTS ENTERTAINMENT, AND JOHN

DOES 1-20 owed a duty to plaintiff to use reasonable care to restrain themselves from conducting themselves in a vicious manner so as to create an unreasonable risk of harm to plaintiff, and others similarly situated.

25. That at all times hereinafter mentioned, the defendant BARCLAYS and BSE owed a duty to plaintiff to see that its employees, agents, servants, representatives, or other, use reasonable care to protect the plaintiff and others at the subject facility, to prevent an unreasonable risk of harm to plaintiff, and others similarly situated.

26. That the aforementioned occurrence and the results thereof including the injuries sustained by the plaintiff were caused by and due to the negligence, carelessness and recklessness of the aforementioned defendants by failing to properly control their conduct, failing to monitor their conduct and in otherwise being negligent, reckless and careless under the circumstances.

27. That by reason of the foregoing, and due to the carelessness, recklessness and negligence of the aforementioned defendants, plaintiff has been injured and suffered damages, both general and special, in an amount that exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**AS AND FOR A SECOND CAUSE OF ACTION:
NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

28. Plaintiff repeats, reiterates and re-alleges each and every allegation contained in the paragraphs set forth above, with the same force and effect as if more fully set forth herein.

29. That each and all of the defendants herein had a duty of care to the plaintiff; that said duty was breached by the defendants; that said breach resulted directly in emotional harm.

30. That defendants, through extreme, outrageous, negligent and reckless behavior, caused severe emotional distress, mental trauma, and/or bodily harm to the plaintiff; that defendants engaged in extreme and outrageous conduct; with an intent to cause, or disregard of a substantial probability of causing, severe emotional distress; and there lies a causal connection between the conduct and injury; and resulting severe emotional distress.

31. That the acts of defendants described herein were a negligent infliction of emotional distress against the plaintiff, and the plaintiff has suffered damages pursuant thereto, and he will continue to suffer same in the future.

32. That by reason of the foregoing, plaintiff requests an award of damages which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

AS AND FOR A THIRD CAUSE OF ACTION:
INTENTIONAL TORT: ASSAULT

33. Plaintiff repeats, reiterates and re-alleges each and every allegation contained in the paragraphs set forth above with the same force and effect as if more fully set forth herein.

34. That on the aforementioned date at the subject location, plaintiff was, without cause or provocation, maliciously and intentionally assaulted by defendants MCGREGOR individually, and MCGREGOR on behalf of SPORTS ENTERTAINMENT, AND JOHN DOES 1-20, causing serious personal injury and economic damages to plaintiff.

35. That defendants MCGREGOR individually, and MCGREGOR on behalf of SPORTS ENTERTAINMENT, AND JOHN DOES 1-20 did intentionally attempt or threat to inflict injury on plaintiff, with an apparent ability to cause the harm, and that said actions created a reasonable apprehension of bodily harm or offensive contact in the plaintiff.

36. That by reason of the foregoing, and the malicious and intentional acts of the defendant MCGREGOR individually, and MCGREGOR on behalf of SPORTS ENTERTAINMENT, AND JOHN DOES 1-20, plaintiff has been injured and suffered damages, general, special, and punitive, in an amount that exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

37. That by reason of the foregoing, and the malicious and intentional acts of the defendants, plaintiff has been rendered sick, sore, lame and disabled; that he has experienced pain, suffering and a loss of enjoyment of life and will experience same in the future; that he has been obliged to expend, and will expend in the future; sums of money for medical aid and attention; and that he has been unable to attend to his usual

avocation and activities, has suffered a loss and other benefits as a result and believes he will continue to suffer same in the future.

AS AND FOR A FOURTH CAUSE OF ACTION:
INTENTIONAL TORT: BATTERY

38. Plaintiff repeats, reiterates and re-alleges each and every allegation contained in the paragraphs set forth above, with the same force and effect as if more fully set forth herein.

39. That the aforesaid occurrence and resulting injuries to plaintiff were due to the willful, wanton, reckless and/or malicious conduct of the defendant McGREGOR individually, and McGREGOR on behalf of SPORTS ENTERTAINMENT, individually and/or in concert with other defendants.

40. That the defendant McGREGOR individually, and McGREGOR on behalf of SPORTS ENTERTAINMENT, AND JOHN DOES 1-20, without cause or provocation, battered the plaintiff, causing injury and damages, with an utter indifference to the safety of others and specifically the safety of plaintiff.

41. That the defendant McGREGOR individually, and McGREGOR on behalf of SPORTS ENTERTAINMENT, AND JOHN DOES' 1-20 intentional touching of, or application of force to the body of the plaintiff, in a harmful and offensive manner, and without the plaintiff's consent, caused injuries and damages to the plaintiff.

42. That the conduct of defendant McGREGOR individually, and McGREGOR on behalf of SPORTS ENTERTAINMENT AND JOHN DOES 1-20,

exhibited a reckless disregard for human life and safety and more particularly, for the life and safety of plaintiff.

43. That the defendants herein engaged in an intentional attempt or threat to inflict injury on plaintiff, coupled with an apparent ability to cause the harm, which created a reasonable apprehension of bodily harm or offensive contact in the plaintiff.

44. That by reason of the foregoing, and the malicious and intentional acts of the defendant MCGREGOR individually, and MCGREGOR on behalf of SPORTS ENTERTAINMENT, AND JOHN DOES 1-20, plaintiff has been injured and suffered damages, general, special, and punitive, in an amount that exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

45. That by reason of the foregoing, and the malicious and intentional acts of the defendants, plaintiff has been rendered sick, sore, lame and disabled; that he has experienced pain, suffering and a loss of enjoyment of life and will experience same in the future; that he has been obliged to expend, and will expend in the future; sums of money for medical aid and attention; and that he has been unable to attend to his usual avocation and activities, has suffered a loss and other benefits as a result and believes he will continue to suffer same in the future.

**AS AND FOR A FIFTH CAUSE OF ACTION: INTENTIONAL
INFLICTION OF EMOTIONAL DISTRESS**

46. Plaintiff repeats, reiterates and re-alleges each and every allegation contained in the paragraphs set forth above, with the same force and effect as if more fully set forth herein.

47. That the defendants engaged in extreme or outrageous conduct and intentionally caused severe emotional distress and bodily harm to the plaintiff.

48. That the acts of defendants described herein were an intentional infliction of emotional distress against the plaintiff, and the plaintiff has suffered damages pursuant thereto, and he will continue to suffer same in the future.

49. That defendants, through extreme, outrageous, negligent and reckless behavior, caused severe emotional distress, mental trauma, and/or bodily harm to the plaintiff; that defendants engaged in extreme and outrageous conduct; with an intent to cause, or disregard of a substantial probability of causing, severe emotional distress; and there lies a causal connection between the conduct and injury; and resulting severe emotional distress.

50. That by reason of the foregoing, plaintiff requests an award of punitive damages which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**AS AND FOR A SIXTH CAUSE OF ACTION: NEGLIGENT
HIRING, RETENTION, AND SUPERVISION AND RESPONDEAT SUPERIOR**

51. Plaintiff repeats, reiterates and re-alleges each and every allegation contained in the paragraphs set forth above, with the same force and effect as if more fully set forth herein.

52. Defendants BARCLAYS AND BSE placed their employees, JOHN DOES 21-50 in a position to cause foreseeable harm, harm which the plaintiff would have been spared had the employer taken reasonable care in supervising or retaining the employee. BARCLAYS AND BSE knew or should have known of JOHN DOES' 21-50 propensity for the conduct that caused the injury.

53. John Does 21-50 were acting in the scope of their employment when they failed to properly execute their duties, failed to protect the plaintiff, failed to prevent John Does 1-20 from entering an area in which they should not have been.

54. John Does 21-50 were performing actions to further their employer's interest, or to carry out duties incumbent upon the employ in furthering the employer's business.

55. That by reason of the foregoing, plaintiff requests an award of damages which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

WHEREFORE, that by reason of the foregoing, and the negligent, malicious and intentional acts of the defendants, plaintiff MICHAEL CHIESA has been rendered sick, sore, lame and disabled; that he has experienced pain, suffering and a loss of enjoyment of life and will experience same in the future; that he has been obliged to expend, and will expend in the future, sums of money for medical aid and attention, as well as compensation for economic loss; that he has suffered personal injuries, lost opportunities, and economic damages; that he has been unable to attend to his usual avocation and activities, has suffered a loss and other benefits as a result and believes he will continue to suffer same in the future.

WHEREFORE, plaintiff MICHAEL CHIESA demands judgment and an award against defendants, individually and/or collectively, on the FIRST, SECOND, THIRD, FOURTH, FIFTH, AND SIXTH CAUSES OF ACTION in an amount that exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with costs and disbursements of this action, and such other and further relief as to this Court seems just proper and equitable.

Dated: Queens County, New York
September 10, 2018

Yours, etc.,



JOSEPH W. MURRAY, Esq.
Attorney for Plaintiff
125-10 Queens Blvd., Ste. 5
Kew Gardens, NY 11415
My File No.: 1616

ATTORNEY VERIFICATION

STATE OF NEW YORK)
)
COUNTY OF NASSAU) ss.:

JOSEPH W. MURRAY, an attorney duly licensed to practice law, affirms under penalties of perjury, that I am the attorney of record for the plaintiff in the within action; that I have read the foregoing SUMMONS AND VERIFIED COMPLAINT and know the contents thereof; that the same is true to my own knowledge, except as to the matters therein alleged to be on information and belief, and as to those matters, I believe it to be true. The reason this verification is made by me and not by plaintiff MICHAEL CHIESA is that the county in which plaintiff resides is different than the county in which deponent maintains his office.

DATED: September 10, 2018


JOSEPH W. MURRAY, ESQ.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

Index No.:

MICHAEL CHIESA,

*Plaintiff,**- against -*

CONOR MCGREGOR, MCGREGOR SPORTS AND ENTERTAINMENT, LLC, JOHN DOES 1-20,
names being fictitious as unknown at this time, BARCLAYS CENTER, BSE GLOBAL, and JOHN
DOES 21-50, names being fictitious, as unknown at this time,

Defendants.

SUMMONS AND COMPLAINT

Law Offices Of
JOSEPH W. MURRAY, ESQ.
Attorney for Plaintiff
Office and Post Office Address, Telephone
125-10 Queens Blvd., Ste. 5
Kew Gardens, New York 11415
PHONE: 718-514-3855
FAX: 646-514-4771

Pursuant to 22 NYCRR 130-1.1, the undersigned, an attorney admitted to practice in the courts of New York State, certifies that, upon information and belief and reasonable inquiry, the contentions contained in the annexed document are not frivolous.

Dated: September 10 2018
Joseph W. Murray, Esq.

To :

Service of a copy of the within
is hereby admitted.

Dated: _____ 20__

Attorney(s) for:

PLEASE TAKE NOTICE :

☐ NOTICE that the within is a (certified) true copy of a

OF ENTRY: duly entered in the office of the clerk of the within named court on

20