

IN THE _____ COURT OF _____ (*County*), _____ (*State*)

PLAINTIFF

(*Name of Plaintiff*)

V.

CAUSE NO. _____, _____

DEFENDANT

(*Name of Defendant*)

COMPLAINT

COMES NOW _____ (*Name of Plaintiff*), Plaintiff in the above-styled and numbered cause, by and through his attorney, and files this his Complaint against Defendants, _____ (*Names of Defendants*), and in support thereof would show unto the Court the following matters and facts:

1. Plaintiff is an adult resident citizen of _____

(*city, county, state*).

2. Defendant, a visiting baseball team, (hereinafter called **Defendant Team**), is now, and at all times mentioned was, a corporation, organized and existing under and by virtue of the laws of the State of _____, having a principal place of business in _____ and duly authorized to do business in _____ (*name of state*).

4. Defendant _____ (*Name of Player*) is an adult resident citizen of _____ (*city, county, state*).

5. At all times mentioned Defendant, _____ (*name of baseball player*), (hereinafter called **Defendant Player**), was the duly appointed, qualified, and acting agent and employee of Defendant Team.

6. On _____ (*date*), Defendant Team was the Lessee and Operator and was in control of a baseball and recreation sports field in _____ (*name of city*), _____ (*name of county*). _____ (*name of state*), known as _____ (*Name of Stadium*), hereinafter called **Stadium**. On that date and at all the times mentioned, Defendant Team invited the public in general to purchase tickets to and witness baseball contests and other sports events, for profit to Defendant Team.

7. Defendant Team on _____ **(date)**, negligently, carelessly, recklessly, and without due regard to the safety of Plaintiff and other persons entering the sports field, permitted the entrance passageway of the field to be unguarded and unprotected. On _____ **(date)**, Plaintiff, at the invitation of Defendant, purchased a ticket from Defendant and entered the sports field through the unguarded passageway, for the purpose of viewing a baseball contest. The passageway was designated for the entering of patrons to the sports field; on rightfully entering the inner portion of the passageway, while proceeding to a seat in the grandstand of the sports field set aside for spectators, and while still in the unprotected area, Plaintiff was struck on the head by a baseball bat.

8. On _____ **(date)**, Defendant Player, while acting within the scope of his employment as a baseball player during a baseball contest between the Defendant Team and another baseball team, so negligently, carelessly, and recklessly handled a baseball bat as to cause it to be hurled through the air and strike Plaintiff.

9. As a direct and proximate result of the striking and of the negligence and carelessness of Defendants, Plaintiff suffered the following injuries and damages:

(describe injuries and damages) _____
_____.

WHEREFORE, Plaintiff requests judgment against Defendants, and each of them, jointly and severally, for the following:

1. Damages in the amount of \$_____, with interest on such amount as allowed by law from _____ **(the date of judgment or specify other date)** until paid;
2. Costs of this action; and
3. Such other and further relief as the Court may deem just and proper.

Respectfully submitted,

(Name of Plaintiff)

By: _____

(Name of Plaintiff's Attorney)

State Bar No. _____

His Attorney

OF COUNSEL:

(Name of Plaintiff's Attorney)

Post Office Box _____

(City, State, Zip Code)

Telephone: _____