**COMPLAINT FOR DAMAGES**

Plaintiff John Doe alleges as follows:

**PARTIES**

1. **Plaintiff:** John Doe ("Plaintiff") is, and at all times relevant herein was, an individual residing in the County of Sierra, State of California.
2. **Defendant Sierra County:** Defendant Sierra County ("Sierra County") is, and at all times relevant herein was, a governmental entity operating within the State of California.
3. **Defendant Fairs Are Us:** Defendant Fairs Are Us ("Fairs Are Us") is, and at all times relevant herein was, a business entity engaged in the operation and management of fairs and amusement rides, including the Sierra County Fair.
4. **Defendants DOES 1-10:** Plaintiff is ignorant of the true names and capacities of Defendants sued herein as DOES 1 through 10, inclusive, and therefore sues these Defendants by such fictitious names. Plaintiff will amend this Complaint to allege their true names and capacities when ascertained. Plaintiff is informed and believes, and thereon alleges, that each of the fictitiously named Defendants is responsible in some manner for the occurrences herein alleged, and that Plaintiff’s damages as herein alleged were proximately caused by such Defendants.

**JURISDICTION AND VENUE**

1. **Jurisdiction:** This Court has jurisdiction over this matter pursuant to California Code of Civil Procedure § 410.10.
2. **Venue:** Venue is proper in this Court pursuant to California Code of Civil Procedure § 395(a) because the injury occurred in Sierra County, California, and Defendants conduct business within this county.

**FACTUAL ALLEGATIONS**

1. On or about January 23, 2024, Plaintiff attended the Sierra County Fair with his two nine-year-old daughters and several co-workers. The fair was operated and managed by Defendants Sierra County and Fairs Are Us.
2. While exiting the Tilt-A-Whirl ride at approximately 3:00 PM, Plaintiff tripped over a metal spike that was protruding from the ground in the exit path of the ride.
3. As a result of the fall, Plaintiff suffered a broken left ankle, which required immediate surgery, as well as back spasms and neck strain. Plaintiff was transported to Sierra Vista Medical Center for treatment.
4. Plaintiff has been unable to return to his job as a construction worker due to the severity of his injuries and is uncertain when he will be able to resume work.
5. The spike posed an unreasonable hazard to fairgoers, and Defendants failed to warn of or eliminate this danger despite their duty to maintain safe premises.

**FIRST CAUSE OF ACTION: PREMISES LIABILITY**

(Against All Defendants)

1. Plaintiff re-alleges and incorporates by reference paragraphs 1 through 11 as though fully set forth herein.
2. Defendants owned, leased, occupied, and/or controlled the premises of the Sierra County Fair.
3. Defendants had a duty to maintain the premises in a reasonably safe condition and to warn of any dangerous conditions.
4. Defendants breached their duty by failing to eliminate the hazard posed by the spike and failing to warn Plaintiff and other fairgoers of the danger.
5. As a direct and proximate result of Defendants' negligence, Plaintiff sustained serious injuries, resulting in medical expenses, lost wages, loss of earning capacity, and other damages.

**SECOND CAUSE OF ACTION: NEGLIGENCE**

(Against All Defendants)

1. Plaintiff re-alleges and incorporates by reference paragraphs 1 through 16 as though fully set forth herein.
2. Defendants owed Plaintiff a duty of care to ensure the fairgrounds were safe for visitors.
3. Defendants breached their duty of care by negligently maintaining the premises, allowing a dangerous spike to protrude in the exit path of a ride.
4. As a direct and proximate result of Defendants' negligence, Plaintiff suffered severe injuries, incurred medical expenses, lost wages, and experienced pain and suffering.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff prays for judgment against Defendants as follows:

1. For general damages in an amount to be proven at trial;
2. For special damages, including but not limited to medical expenses, lost earnings, and loss of earning capacity, according to proof at trial;
3. For costs of suit incurred herein;
4. For prejudgment interest as permitted by law; and
5. For such other and further relief as the Court may deem just and proper.

**DEMAND FOR JURY TRIAL**

Plaintiff hereby demands a trial by jury on all issues so triable.

Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
Respectfully submitted,  
**[Plaintiff’s Attorney’s Name]**  
**[Law Firm Name]**

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
**[Plaintiff’s Attorney’s Name]**  
Attorneys for Plaintiff John Doe