

IN THE CIRCUIT COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SONOMA

Ronald Weasley,)	No. 454545
)	
Plaintiff,)	COMPLAINT
)	(Personal Injury; ORS 20.080)
v.)	
)	Subject to Mandatory
Harry Potter; DUMBLEDORE'S)	Arbitration
ARMY, INC.)	
(doing business as Dumbledore's)	JURY TRIAL REQUESTED
Army), a foreign business)	
)	Amount claimed: \$350,000
)	(aggregate)
)	
		Fee Authority: ORS 21.160(1)(a)
Defendants.		

Plaintiff RONALD WEASLEY alleges:

First Claim for Relief
(Negligence - Potter)

1.

At all times material herein, defendant Harry Potter was and is the owner of a patronus ("Stag"); he resides in Sonoma, Sonoma County, California.

2.

At all times material herein, defendant DUMBLEDORE'S ARMY, INC., d/b/a Dumbledore's Army (hereinafter "DA") was and is a foreign business entity authorized to conduct business in California, and was the owner and/or operator of a

1 practice room on NE 15th Street in Sonoma, California.

2 3.

3 At all times material herein, defendant ELLIOTT ASSOCIATES,
4 INC. was and is a CA corporation authorized to conduct
5 business in CA, and was the owner, operator, manager and/or
6 maintainer of certain real property on which defendant the DA
7 operated a market (NE 15th St., Sonoma).

8 4.

9 At all times material herein, plaintiff was a pedestrian near
10 the entrance to the store/market operated by defendant the DA.

11 5.

12 At all times pertinent, plaintiff was an invitee of the
13 DA and an invitee of the commercial premises located on NE 15th
14 Street occupied by the DA and maintained by Elliott
15 Associates.

16 6.

17 On November 20, 2015, plaintiff was walking towards the
18 entrance of the DA on NE 15th Street when he was accosted by a
19 patronus owned by defendant Potter, causing bodily injuries
20 to plaintiff as hereinafter set forth.

21 7.

22 Defendant POTTER was negligent in one or more of the
23 following particulars which caused injuries to plaintiff:

- 24 a) In failing to maintain proper control of his
25 (patronus);

1 b) In failing to properly de-summon his patronus while it
2 was in a place used by the general public.

3 8.

4 As a direct, proximate and foreseeable result of the acts and
5 omissions of defendant POTTER, plaintiff Ronald Weasley sustained
6 a serious spook to his heart, all to plaintiff's non-economic
7 damage in an amount exceeding \$350,000.

8 9.

9 As a direct and foreseeable result of the acts and omissions
10 of defendant POTTER, plaintiff incurred health care expenses and
11 other economic damages. The total of plaintiff's economic damages
12 not paid a health insurance, subject to direct reimbursement under
13 ORS 742.534, together with his non-economic damages, exceeds
14 \$350,000 but plaintiff hereby limits amount sought for both non-
15 economic damages and non-742.534 economic damages to \$350,000
16 for purposes of ORS 20.080.

17 10.

18 By letter dated February 15, 2016, plaintiff made demand upon
19 defendant POTTER and his insurer for damages in the manner
20 provided by ORS 20.080.

21 11.

22 Plaintiff is entitled to recover attorney fees incurred herein
23 pursuant to ORS 20.080 as well as her damages and costs and
24 disbursements.

25 //

26 //

Second Claim for Relief
(Negligence - Dumbledore's Army)

12.

Plaintiff re-alleges paragraphs 1-6 above.

13.

Defendant DA was negligent in one or more of the following particulars which caused injuries to plaintiff:

- a) In providing an unsafe area near its store entrance for the use of its patrons who conjured patroni;
- b) In failing to properly monitor and/or safeguard the area;
- c) In failing to provide appropriate warning (via signs, placards, cones, etc.) to members of the public that the area could be in use by dangerous patroni;
- d) In failing to properly segregate the area (via cones, fencing, distance, etc.) from business invitees and other members of the public;
- e) In failing to maintain its store premises, including the entrance, in a safe condition for business invitees and other members of the public.

14.

As a direct, proximate and foreseeable result of the acts and omissions of defendant DA, plaintiff Ronald Weasley sustained a serious spook and a fright, all to plaintiff's non-economic damage in an amount exceeding \$350,000.

15.

As a direct and foreseeable result of the acts and omissions of defendant DA, plaintiff incurred health care expenses and other economic damages. The total of plaintiff's economic damages not paid a health insurance, subject to direct reimbursement under ORS 742.534, together with his non-economic damages, exceeds \$350,000 but plaintiff hereby limits amount sought for both non-economic damages and non-742.534 economic damages to \$350,000 for purposes of ORS 20.080.

16.

By letter dated February 15, 2016, plaintiff made demand upon defendant DA for damages in the manner provided by ORS 20.080.

17.

Plaintiff is entitled to recover attorney fees incurred herein pursuant to ORS 20.080 as well as his damages and costs and disbursements.

WHEREFORE, plaintiff RONALD WEASLEY prays for Judgment against defendants, and each of them, as follows:

1. For his non-economic damages and non-health insurer-paid (ORS 742.534) economic damages, in the amount of \$350,000;
2. For his attorney fees pursuant to ORS 20.080;
3. For his costs and disbursements herein.

