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<p><b>CHRISTOPHER HAUSER</b></p> <p>Plaintiff</p> <p>v.</p> <p><b>GUERIN &amp; WALL ENTERPRISES INC., d/b/a THE SHANNON, ABC Corporation 1-10, fictitious names, true identities unknown &amp; JOHN DOE 1-10, fictitious names, true identities unknown</b></p> <p>Defendants</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION: <b>HUDSON COUNTY</b></p> <p><b>DOCKET NO: HUD-L-004404-25</b></p> <p>Civil Action</p> <p><b>COMPLAINT, JURY DEMAND, DESIGNATION OF TRIAL COUNSEL and CERTIFICATIONS, DEMAND FOR ANSWERS TO INTERROGATORIES</b></p>
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Plaintiff CHRISTOPHER HAUSER (“Plaintiff”), residing in New City, New York with his complete address on file with his attorney, by way of Complaint against Defendants says:

**PRELIMINARY STATEMENT**

1. This case arises from a brutal, senseless, and entirely preventable assault committed by the very people entrusted to maintain order and safety at one of Hoboken’s longstanding nightlife establishments. On the night in question, Christopher Hauser did exactly

what any responsible patron would do: he complied, he stepped outside, and he posed no threat to anyone. Yet within moments, he was violently attacked—slammed against a vehicle, punched in the face, and left with a swollen eye and partial vision loss—not by strangers or random assailants, but by bouncers employed, directed, supervised, and retained by The Shannon. This was no misunderstanding. This was not a scuffle, nor a mistake, nor a chaotic bar fight. This was a targeted, deliberate act of violence carried out by individuals who had no reason, no justification, and no right to lay a hand on a compliant patron who had already left the premises. And it happened because The Shannon chose to place untrained, aggressive, and unfit individuals in positions of power, armed with authority but devoid of judgment.

2. Moments before the attack, one of Defendant's own employees admitted that Mr. Hauser had been wrongly identified and ordered to leave because another patron, wearing a similar Halloween pirate costume had caused trouble inside. Even after acknowledging this error, The Shannon's security staff escalated—not de-escalated—the situation. Two additional bouncers rushed toward Mr. Hauser and launched a violent, unprovoked assault on a man who was simply speaking on a public sidewalk.

3. The injuries were immediate and devastating. The betrayal was profound. And the danger to the public could not be clearer: if this is how The Shannon treats a compliant patron, then no customer is safe.

4. This lawsuit is about accountability. It is about a bar that chose to hire, retain, and empower individuals with a demonstrated propensity for violence. It is about a management that failed to train, supervise, or control its security personnel. And it is about a corporate culture that allowed an unrestrained, reckless assault to unfold mere feet from its front door. New Jersey law does not excuse this. It does not allow businesses to shrug their shoulders while their employees mete out street justice. And it does not allow owners to hide behind the title

“independent contractor” when they control, direct, and profit from the very security force that committed the assault.

5. The evidence in this case will show: This attack was unprovoked. It was foreseeable. It was the product of negligent hiring, negligent supervision, negligent retention, and a complete failure of oversight. And it was carried out by individuals acting squarely within the scope of their duties—making The Shannon fully and unequivocally responsible. Mr. Hauser did nothing wrong. He followed instructions. He walked away. And he was violently assaulted for it.

6. This litigation seeks justice for him, protection for the public, and full legal accountability for the establishment whose employees turned a peaceful sidewalk into a scene of unnecessary brutality.

### **FACTUAL ALLEGATIONS COMMON TO ALL COUNTS**

7, Plaintiff, Christopher Hauser (“Plaintiff”), is an individual residing in the State of New York.

8. At all times relevant, Plaintiff was a lawful business invitee and patron at The Shannon, a bar and nightclub located at 106 1st Street in the City of Hoboken, County of Hudson and the State of New Jersey.

9. At all times relevant herein, defendants, Guerin & Wall Enterprises Inc., d/b/a/, The Shannon (“the Shannon”) and/or ABC Corporation 1-10, fictitious names, true identities unknown, owned, occupied, operated and/or maintained the premises commonly known as The Shannon, located at 106 1st, Hoboken, Hudson County, New Jersey.

10. Defendant THE SHANNON, together with its owners, operators, managers, agents, employees, and/or independent contractors (collectively, “Defendants”), owned, operated,

staffed, supervised, and maintained the premises where the incident occurred.

11. On or about Saturday November 1, 2025 around 10:30 pm, Plaintiff was present at The Shannon as a paying patron. Plaintiff was not intoxicated, disorderly, or engaging in any conduct that posed a risk to staff, other patrons, or the premises.

12. Plaintiff was wrongfully and mistakenly accused by one or more of Defendants' agents, employees, and/or bouncer personnel of being intoxicated and acting up. Plaintiff calmly complied when instructed to leave the premises.

13. Multiple independent witnesses—at least three individuals—observed that Plaintiff was calm, compliant, nonviolent, and exited the premises without resistance.

14. After exiting onto the public sidewalk, Plaintiff engaged in a civil conversation with a bouncer employed and/or contracted by Defendants, who admitted that Plaintiff had been wrongly identified because he was wearing a pirate costume similar to another intoxicated patron inside the bar.

15. While Plaintiff was standing outside peacefully and posing no threat, two additional bouncers/security personnel employed, retained, contracted, supervised, or otherwise directed by Defendants violently approached Plaintiff.

16. Without provocation, justification, or lawful cause, Defendants' agents, employees, and/or independent contractors physically assaulted Plaintiff, including but not limited to: forcefully grabbing him, slamming him against a parked vehicle, and punching him in the face.

17. At the aforesaid time and place, defendant(s), JOHN DOE, 1-10, fictitious names, true identities unknown, was an unknown person or persons whose actions caused and/or indirectly to the accident herein, and the injuries and damages suffered by the plaintiff(s). The defendant, JOHN DOE, 1-10, fictitious names, true identities unknown, is named herein as representing any unknown potential defendant in this lawsuit whose identity might be revealed

to the plaintiff{s) during the course of this lawsuit and so as to halt the running of The Statute of Limitations as to said presently unknown and unidentified defendant(s).

18. Defendants, Guerin & Wall Enterprises Inc., d/b/a/, The Shannon and/or ABC Corporation 1-10, fictitious names, true identities unknown, did negligently and carelessly own, occupy, operate and/or maintain the aforesaid premises so as to cause an unprovoked attack on Plaintiff via agents, employees or contractors.

19. As a direct result of the assault, Plaintiff suffered immediate physical injuries, including but not limited to swelling, bruising, pain, and partial vision impairment in one eye.

20. Plaintiff sought immediate medical attention and subsequently filed a police report documenting the assault and the conduct of Defendants' personnel.

21. At all relevant times, Defendants owed Plaintiff a non-delegable duty to maintain the premises in a reasonably safe condition; to hire, supervise, and retain competent security personnel; to prevent foreseeable assaults; and to ensure that their agents, employees, and independent contractors refrained from using unreasonable, excessive, or unlawful force against Patrons.

22. Defendants breached these duties by, among other things:

- a. Hiring unqualified or dangerous individuals as security/bouncers;
- b. Failing to properly train security staff in de-escalation, identification, and safe removal practices;
- c. Failing to supervise security staff who had a known or foreseeable propensity for aggression or excessive force;
- d. Failing to implement or enforce policies preventing unnecessary physical force on patrons; and

e. Allowing, authorizing, or failing to stop the violent assault on Plaintiff.

24. The violent conduct of Defendants' personnel was foreseeable to Defendants and occurred while performing duties within the scope of their employment and/or agency, including crowd control, patron management, and security functions.

25. Defendants are vicariously liable under the doctrine of respondeat superior because their employees and/or agents committed the wrongful acts while acting within the scope of their employment, carrying out duties that directly benefited Defendants.

26. Defendants are additionally liable for the actions of security staff operating as independent contractors if applicable because Defendants exercised control over security operations, assigned duties, directed conduct toward patrons, and maintained non-delegable duties to ensure patron safety.

27. Defendants' conduct was malicious, wanton, reckless, or showed a willful disregard for Plaintiff's safety, warranting punitive damages under New Jersey law.

28. As a direct and proximate result of Defendants' wrongful acts and omissions, Plaintiff sustained significant injuries, pain and suffering, emotional distress, temporary or permanent loss of vision, medical expenses, and a loss of enjoyment of life.

**FIRST COUNT**

(Battery)

As to all Defendants

29. Plaintiff repeats and realleges all preceding paragraphs as if fully set forth herein.

30. At all relevant times, Defendants' agents, employees, and/or independent contractors—including John Doe 1–10—acted within the scope of their employment, agency, or contractual duties at The Shannon, performing crowd control, security, and patron management Functions.

31. On the above mentioned date. Plaintiff was a lawful patron and business invitee at The Shannon. Plaintiff did not provoke, threaten, or engage in any conduct that would justify physical contact.

32. Defendants' agents, employees, and/or independent contractors intentionally and unlawfully made harmful and offensive physical contact with Plaintiff by:

- a. Grabbing Plaintiff without consent;
- b. Slamming Plaintiff against a parked vehicle; and
- c. Punching Plaintiff repeatedly in the face, causing swelling, pain, and partial vision impairment.

33. The assault was unlawful and unconsented, and Plaintiff did not consent to, nor was he complicit in the conduct.

34. The contact was intentional or was committed with reckless disregard for Plaintiff's bodily integrity, satisfying the intentional tort requirement for battery under New Jersey common law.

35. As a direct and proximate result of this battery, Plaintiff suffered:

- a. Physical injuries, including facial trauma and vision impairment;
- b. Pain and suffering;
- c. Emotional distress, anxiety, and fear;
- d. Medical expenses, including treatment and follow-up care; and
- e. Loss of income and the need to hire private security for professional engagements.

36. Defendants are liable under vicarious liability doctrines because the individuals committing the battery were acting within the scope of their duties for The Shannon.

37. Further, Defendants are liable for punitive damages because the assault was committed with malice, wanton disregard, and reckless indifference to Plaintiff's safety.

WHEREFORE, Plaintiff demands judgment against Defendants, jointly and severally, for

compensatory damages, punitive damages, medical expenses, emotional distress damages, lost wages, interest, counsel fees, costs of suit, and any other relief the Court deems fair and equitable.

**SECOND COUNT**

(Assault)

As to all Defendants

38. Plaintiff repeats the allegations contained in the entire Complaint at length herein and make them a part hereof.

39. The conduct of Defendants caused Plaintiff to be in fear of physical harm and fear for his safety and well being. Defendants' agents, employees, and/or independent contractors intentionally approached Plaintiff in a threatening and aggressive manner, while outside on the public sidewalk, after Plaintiff had already exited the premises peacefully.

40. The conduct of Defendants constitutes actionable assault. The actions of Defendants' personnel—including advancing toward Plaintiff with fists raised, displaying aggression, and preparing to strike—caused Plaintiff to reasonably apprehend imminent harmful and offensive bodily contact. The apprehension was objectively reasonable because:

- a. Plaintiff was significantly smaller than at least one of the aggressors;
  - b. Multiple bouncers approached him simultaneously in an aggressive and unprovoked manner;
- and
- c. The individuals were acting as security personnel with authority to enforce physical control over patrons, increasing the perception of imminent harm.

41. As a result of the conduct of Defendants Plaintiff was injured, which he had to seek medical care and treatment, has suffered and will continue to suffer, emotional distress and did thereby incur lost wages.

42. At the aforementioned time and place, Plaintiff did not contribute to the happening of the incident and did not provoke, threaten, or engage in any conduct that would justify aggressive or threatening behavior toward him.

43. At all relevant times, Defendants' agents, employees, and/or independent contractors—including John Doe 1–10—acted within the scope of their employment, agency, or contractual duties at The Shannon, performing crowd control, security, and patron management functions.

44. Defendants are liable under vicarious liability doctrines because the individuals creating the apprehension were acting within the scope of their duties for The Shannon.

45. As a direct and proximate result of Defendants' actions, Plaintiff suffered:

- a. Immediate fear of serious bodily harm;
- b. Emotional distress and anxiety;
- c. Loss of enjoyment of life; and
- d. Any further damages that naturally flow from the apprehension and subsequent assault.

46. Defendants' conduct was malicious, reckless, and outrageous, supporting an award of punitive damages.

WHEREFORE, Plaintiff, demands judgment jointly, severally against all Defendants, for compensatory damages, punitive damages, interest, counsel fees, costs and other relief as deemed by the court to be fair, just and equitable.

### **THIRD COUNT**

(Negligence)

As to all Defendants

47. Plaintiff repeats the allegations contained in the entire Complaint at length herein and make them a part hereof.

48. At the aforementioned time and place, Defendant and its agents or employees negligently struck or otherwise caused bodily harm to Plaintiff.

49. At all relevant times, Defendants owed Plaintiff, as a lawful patron and business invitee, a non-delegable duty to exercise reasonable care in maintaining the premises, ensuring the safety of patrons, and preventing foreseeable harm caused by security personnel, employees, or independent contractors.

50. Defendants breached this duty by, among other things:

- a. Hiring unqualified or dangerous security personnel with a known or foreseeable propensity for aggression;
- b. Failing to properly train security personnel in de-escalation techniques, safe removal procedures, and lawful use of force;
- c. Failing to supervise or monitor security staff during their shifts;
- d. Failing to intervene or prevent an attack on a peaceful patron;
- e. Failing to implement adequate policies or procedures to protect patrons from foreseeable assaults.

51. The assault on Plaintiff was reasonably foreseeable because Defendants exercised control over the security operations, knew or should have known that improperly trained or

aggressive bouncers posed a substantial risk of harm to patrons, and retained personnel capable of excessive force.

52. Defendants' breach of their duties directly and proximately caused Plaintiff to be assaulted, resulting in:

- a. Physical injuries, including swelling, pain, and partial vision impairment;
- b. Emotional distress, anxiety, and fear;
- c. Loss of enjoyment of life;
- d. Lost wages and the need to hire private security for other professional engagements; and
- e. Medical expenses related to treatment of injuries sustained during the assault.

53. Plaintiff did nothing to contribute to the occurrence of the incident. He was a peaceful, compliant patron lawfully present at the premises.

54. Defendants' negligence, both in action and omission, was a direct and proximate cause of Plaintiff's damages.

55. The acts and omissions of Defendants were willful, wanton, reckless, and outrageous, supporting a claim for punitive damages under New Jersey law.

WHEREFORE, Plaintiff, demands judgment jointly, severally against all Defendants, for compensatory damages, punitive damages, interest, counsel fees, costs and other relief as deemed by the court to be fair, just and equitable.

#### **FOURTH COUNT**

(Respondeat Superior/Vicarious Liability)

Against Defendant Guerin & Wall Enterprises Inc. d/b/a The Shannon

56. Plaintiff repeats the allegations contained in the entire Complaint at length herein and make them a part hereof.

57. At all relevant times, the individuals who assaulted Plaintiff—including John Doe 1–10—were acting as agents, employees, or independent contractors of Defendant Guerin & Wall Enterprises Inc. d/b/a The Shannon while performing duties related to crowd control, patron management, and security functions on the premises.

58. These individuals were acting within the scope of their employment or agency, and their actions were carried out in the course of performing functions assigned by Defendants, including enforcing rules, maintaining order, and managing the safety and conduct of patrons.

59. Defendants had control, direction, and authority over the actions of these agents, employees, and independent contractors and benefited from the services they provided, including controlling access to the premises and enforcing patron removal.

60. Defendants are therefore vicariously liable for all tortious acts committed by their employees, agents, and independent contractors, including but not limited to the assault and battery described herein, under the doctrines of respondeat superior and agency law.

61. As a direct and proximate result of the actions of Defendants' agents, employees, and independent contractors, Plaintiff suffered physical injuries, emotional distress, lost wages, medical expenses, and other damages.

62. Defendants' failure to supervise, control, or prevent the tortious conduct of their employees and agents constitute an additional basis for vicarious liability.

WHEREFORE, Plaintiff demands judgment against Defendant Guerin & Wall

Enterprises Inc. d/b/a The Shannon, jointly and severally with any John Doe defendants, for compensatory damages, punitive damages, medical expenses, emotional distress, lost wages, interest, counsel fees, costs of suit, and any other relief the Court deems fair and equitable.

**FIFTH COUNT**

Negligent Hiring

Against Defendants Guerin & Wall Enterprises Inc. d/b/a The Shannon

63. Plaintiff repeats the allegations contained in the entire Complaint at length herein and make them a part hereof.

64. At all relevant times, Defendants had a duty to exercise reasonable care in hiring individuals to act as security personnel, bouncers, and other employees or independent contractors entrusted with physical authority over patrons.

65. Defendants breached this duty by hiring or retaining John Doe 1–10 who were unfit, unqualified, and/or had demonstrated propensities for violence, aggression, or improper use of force.

66. Defendants knew or should have known, through reasonable background checks, references, training records, or prior incidents, that these individuals posed an unreasonable risk of harm to patrons.

67. As a direct and proximate result of Defendants' negligent hiring, Plaintiff was assaulted and injured, sustaining physical injuries, emotional distress, and economic losses.

WHEREFORE, Plaintiff demands judgment against Defendant Guerin & Wall Enterprises Inc. d/b/a The Shannon, jointly and severally with any John Doe defendants, for compensatory damages, punitive damages, medical expenses, emotional distress, lost wages, interest, counsel fees, costs of suit, and any other relief the Court deems fair and equitable.

## **SIXTH COUNT**

### Negligent Supervision

Against Defendants Guerin & Wall Enterprises Inc. d/b/a The Shannon

68. Plaintiff repeats the allegations contained in the entire Complaint at length herein and make them a part hereof.

69. Defendants had a duty to supervise their employees, agents, and independent contractors, particularly those in security roles responsible for interacting with the public.

70. Defendants breached this duty by failing to monitor, control, or discipline their security personnel, including John Doe 1–10, despite their ability to foresee that improper supervision would likely result in harm to patrons.

71. Defendants' lack of supervision directly contributed to Plaintiff being assaulted while on the premises and suffering consequential injuries and damages.

WHEREFORE, Plaintiff demands judgment against Defendant Guerin & Wall Enterprises Inc. d/b/a The Shannon, jointly and severally with any John Doe defendants, for compensatory damages, punitive damages, medical expenses, emotional distress, lost wages, interest, counsel fees, costs of suit, and any other relief the Court deems fair and equitable

## **SEVENTH COUNT**

### Negligent Retention

Against Defendants Guerin & Wall Enterprises Inc. d/b/a The Shannon

72. Plaintiff repeats the allegations contained in the entire Complaint at length herein and make them a part hereof.

73. Defendant had a duty not to retain employees or contractors whose actions posed a

foreseeable risk of harm to patrons.

74. Defendants breached this duty by retaining John Doe 1–10 despite knowledge, or constructive knowledge, of their dangerous propensities, prior misconduct, or inability to safely perform their duties.

75. As a direct and proximate result of Defendants' negligent retention, Plaintiff was assaulted, suffered physical injury, emotional distress, and incurred medical expenses and lost wages.

WHEREFORE, Plaintiff demands judgment against Defendant Guerin & Wall Enterprises Inc. d/b/a The Shannon, jointly and severally with any John Doe defendants, for compensatory damages, punitive damages, medical expenses, emotional distress, lost wages, interest, counsel fees, costs of suit, and any other relief the Court deems fair and equitable.

### **EIGHTH COUNT**

#### **Negligent Training**

**Against Defendant Guerin & Wall Enterprises Inc. d/b/a The Shannon**

76. Plaintiff repeats the allegations contained in the entire Complaint at length herein and make them a part hereof.

77. At all relevant times, Defendants had a duty to properly train their employees, agents, and independent contractors, including bouncers and security personnel, in the safe, lawful, and appropriate management of patrons, including:

- a. Use-of-force policies;
- b. De-escalation techniques;
- c. Crowd control procedures;

d. Proper identification of patrons; and

e. Compliance with all applicable laws regarding physical contact and patron removal.

78. Defendants breached this duty by failing to provide adequate training, supervision, or guidance to John Doe 1–10, despite knowing or having reason to know that improperly trained security personnel posed a substantial risk of harm to patrons, including Plaintiff.

79. Defendants' failure to train directly contributed to the unprovoked assault on Plaintiff, in which he was:

a. Grabbed and slammed against a parked vehicle,

b. Repeatedly punched in the face, and

c. Suffered physical injuries, emotional distress, and medical expenses.

80. The assault was foreseeable because Defendants placed untrained and aggressive personnel in positions of authority over patrons in a crowded bar environment.

81. As a direct and proximate result of Defendants' negligent training, Plaintiff suffered:

a. Physical injury, including swelling and partial vision loss;

b. Emotional distress, anxiety, and fear;

c. Lost wages; and

d. Medical expenses and other consequential damages.

82. Defendants' conduct was malicious, reckless, and outrageous, supporting a claim for punitive damages under N.J.S.A. 2A:15-5.10 et seq.

WHEREFORE, Plaintiff demands judgment against Defendant Guerin & Wall Enterprises Inc. d/b/a The Shannon, jointly and severally with any John Doe defendants, for compensatory damages, punitive damages, medical expenses, emotional distress, lost wages, interest, counsel fees, costs of suit, and any other relief the Court deems fair and equitable.

**NINTH COUNT**

**Negligent Security**

**Against Defendant Guerin & Wall Enterprises Inc. d/b/a The Shannon**

83. Plaintiff repeats and realleges all preceding paragraphs as if fully set forth herein.

84. At all relevant times, Plaintiff was a business invitee lawfully on Defendant's premises and therefore entitled to the highest duty of care owed under New Jersey premises-liability law.

85. Defendant, as owner, operator, and controller of the premises known as The Shannon, owed Plaintiff a non-delegable duty to implement and maintain reasonable security measures to protect patrons from foreseeable criminal attacks, assaults, and excessive force by employees, agents, or security personnel.

86. Defendant further had a duty to exercise reasonable care in providing, maintaining, and supervising security operations on the premises, including the hiring, training, monitoring, and conduct of bouncers and other individuals tasked with patron safety.

87. Defendant breached their duty by failing to provide adequate security, in that they:

- a. Failed to use reasonable care in selecting competent security personnel;
- b. Failed to implement appropriate security protocols, including de-escalation and use-of-force guidelines;
- c. Failed to supervise or monitor their security staff during peak hours;
- d. Failed to prevent or intervene in the use of excessive force by their personnel;
- e. Failed to reasonably protect patrons, including Plaintiff, from foreseeable acts of violence by security staff who Defendants placed in positions of authority.

88. The violent assault on Plaintiff was reasonably foreseeable, as bars, nightclubs, and similar establishments commonly require trained and supervised security due to the inherent risks associated with crowd control, removal of patrons, mistaken identity, and disputes involving security personnel.

89. Defendant's inadequate and negligent security procedures directly and proximately caused the incident in which Plaintiff was:

- a. Violently grabbed and slammed against a vehicle;
- b. Punched in the face multiple times by The Shannon's bouncers;
- c. Suffered swelling, pain, and partial vision impairment;
- d. Required immediate medical treatment and incurred related expenses.

90. As a further direct and proximate result of Defendant's negligent security measures, Plaintiff suffered:

- a. Physical injuries;
- b. Emotional distress, anxiety, and psychological trauma;
- c. Lost earnings;
- d. Medical expenses and other consequential damages;
- e. Attorney fees and costs.

91. Defendant's conduct was reckless, wanton, and indifferent to the safety of patrons, supporting an award of punitive damages pursuant to N.J.S.A. 2A:15-5.12.

WHEREFORE, Plaintiff demands judgment against Defendants Guerin & Wall Enterprises Inc. d/b/a The Shannon, jointly and severally, for compensatory damages, punitive damages, emotional distress damages, medical expenses, lost earnings, interest, attorneys' fees, costs of suit, and such other relief as the Court deems fair and equitable.

#### **TENTH COUNT**

Vicarious Liability of Holder of Liquor License  
Against Defendant Guerin & Wall Enterprises Inc. d/b/a The Shannon

92. Plaintiff repeats and realleges all preceding paragraphs as if fully set forth herein.

93. Defendant Guerin & Wall Enterprises Inc., as the owner and operator of “The Shannon,” is the holder of a New Jersey retail consumption liquor license, operating under the laws and regulations of the New Jersey Division of Alcoholic Beverage Control.

94. As a liquor licensee, Defendant owed Plaintiff, as a business invitee, a heightened duty of care to provide a reasonably safe environment for all patrons, to prevent foreseeable harm, and to ensure that its employees, agents, and security personnel did not engage in violent, excessive, or unjustified use of force.

95. Under New Jersey law, a liquor licensee is vicariously liable for the tortious conduct of its employees, agents, security personnel, and independent contractors who act under the licensee’s authority and control in the operation of the licensed premises.

96. At all times relevant, the individuals who assaulted Plaintiff—John Doe 1 through 10—were acting as bouncers, security personnel, and agents of Defendant and were performing duties directly related to the operation of the licensed premises, including controlling patron entry, managing alleged intoxication issues, and enforcing removal of patrons.

97. These individuals acted within the scope of their assigned duties and under the direction, benefit, and authority of the liquor licensee, making Defendant vicariously liable for their actions.

98. Defendant permitted, instructed, or failed to restrain these individuals from using unreasonable, excessive, and unjustified physical force on Plaintiff, who was compliant, calm, and engaged in a non-confrontational discussion at the time.

99. Under New Jersey law, liquor licensees are responsible for the conduct of their employees and agents where such conduct is:

- a. Foreseeable;
- b. Committed during the performance of job duties;

- c. Connected to the management, safety, or discipline of patrons; and
- d. Facilitated by authority granted by the licensee.

100. The violent assault perpetrated by Defendant's agents and employees was foreseeable, as bouncers and security personnel routinely interact with patrons, including alleged intoxicated patrons or patrons believed to be causing disturbances, and may misuse their authority without proper oversight.

101. Defendant's employees and agents used their position of authority, granted by the liquor licensee, to violently and unlawfully strike Plaintiff, slam him against a vehicle, and repeatedly punch him in the face, causing physical injury, emotional distress, ongoing medical issues, and economic losses.

102. As a direct and proximate result of the acts of Defendant's employees, agents, and security personnel, for which Defendant is legally and vicariously responsible, Plaintiff suffered:

- a. Physical injuries including swelling, pain, and partial vision impairment;
- b. Emotional distress and anxiety;
- c. Lost earnings;
- d. Medical expenses; and
- e. Attorney fees and costs.

103. Because a liquor licensee occupies a position of public trust, and is required to ensure the safe operation of its premises, Defendant's failure to prevent or control violent actions by its agents constitutes reckless and wanton misconduct, supporting an award of punitive damages under N.J.S.A. 2A:15-5.12.

WHEREFORE, Plaintiff demands judgment against Defendant Guerin & Wall Enterprises Inc. d/b/a The Shannon, jointly and severally with all other Defendants, for compensatory damages, punitive damages, emotional distress damages, medical expenses, lost wages, interest, attorneys' fees, costs of suit, and any other relief deemed just and equitable.

## **ELEVENTH COUNT**

### Piercing the Corporate Veil/Alter Ego Liability

Against the owners or shareholders of Defendant Guerin & Wall Enterprises Inc.

104. Plaintiff repeats and realleges all prior paragraphs as if fully set forth herein.

105. At all times relevant, Defendant Guerin & Wall Enterprises, Inc. d/b/a The Shannon held itself out as the owner and operator of the nightclub/bar known as *The Shannon* located in Hoboken, New Jersey.

106. Upon information and belief, one or more additional individuals or business entities, including John Does 1–10, exercised complete dominion, ownership, and/or operational control over the Shannon Entity.

107. The true corporate structure, ownership, and management of the Shannon Entity is intentionally obscured, undisclosed, and/or fragmented across fictitious or shell entities, making it impossible for Plaintiff to ascertain the true parties in interest prior to discovery.

108. Upon information and belief, John Does 1–10, whether individuals, members, managers, shareholders, officers, or affiliated business entities, used the corporate form of the Shannon Entity as an alter ego, including but not limited to:

- a. commingling funds;
- b. failing to maintain proper corporate records;
- c. undercapitalizing the business;
- d. exercising complete domination over day-to-day operations;
- e. failing to adhere to corporate formalities;
- f. using the entity to shield themselves from liability while engaging in wrongful

or tortious conduct; and/or

g. using the entity to perpetrate an injustice upon patrons such as Plaintiff.

109. Under New Jersey law, a court may pierce the corporate veil where the entity is a mere instrumentality of its owners, where domination is used to perpetrate a wrong, or where adherence to the corporate form would sanction fraud or injustice.

110. Here, adherence to the corporate form would promote inequity, as Defendants seek to use corporate layers, aliases, and unknown ownership structures to avoid responsibility for the violent battery, assault, and negligent security conditions created and/or tolerated on their premises.

111. The alter-ego entities and individuals, including John Does 1–10, benefited financially from the business operations yet exercised direct control over security policies, hiring, supervision, and the conduct of employees such as the security guard who struck Plaintiff.

112. Upon information and belief, one or more Doe Defendants directly authorized, ratified, negligently supervised, negligently hired, or negligently trained security personnel and therefore used their control of the corporate entity to commit, facilitate, or conceal the wrongful acts alleged herein.

113. Therefore, the Shannon Entity operated as a mere instrumentality or façade for its owners, members, or affiliates, and the corporate veil should be pierced to prevent injustice and to hold its true operators fully liable.

114. Accordingly, under the doctrines of alter ego and piercing the corporate veil, John Does 1–10 should be held jointly and severally liable with Defendant Guerin & Wall Enterprises, Inc. d/b/a The Shannon for all damages alleged in this action.

WHEREFORE, Plaintiff demands judgment against all Defendants, jointly and severally, for compensatory damages, punitive damages, interest, costs of suit, counsel fees, and all other relief deemed just and equitable.

**TWELFTH COUNT**

Intentional Infliction of Emotional Distress (IIED)

As to all Defendants

115. Plaintiff repeats and reiterates each and every statement made above as if repeated at length herein in their entirety.

116. At the time and place described above, Defendant John Doe, acting as a security guard and within the scope of his duties for Defendant Guerin & Wall Enterprises Inc. d/b/a The Shannon maliciously, intentionally, and without provocation physically attacked and repeatedly struck Plaintiff, including blows to the head and face.

117. The conduct of Defendant John Doe was extreme, outrageous, and beyond all possible bounds of decency, and is regarded as atrocious and utterly intolerable in a civilized community.

118. The Shannon Defendant knew or should have known that security personnel occupy a position of authority over patrons of a nightclub, and that physically assaulting a patron—especially one substantially smaller in stature—constitutes intentional misconduct that foreseeably causes severe emotional trauma.

119. Defendant John Doe intended to cause Plaintiff severe emotional distress, or acted with reckless disregard of the substantial probability that such distress would occur.

120. As a direct and proximate result of Defendant's intentional and outrageous conduct, Plaintiff suffered severe emotional distress, including but not limited to fear, anxiety,

humiliation, sleep disturbance, hypervigilance in public spaces, and trauma associated with loud or crowded venues.

121. Plaintiff required and continues to require psychological treatment because of the anxiety and emotional distress caused by the attack.

122. Defendants' conduct was willful, wanton, malicious, and in reckless indifference to Plaintiff's rights and safety, warranting the imposition of punitive damages under New Jersey law.

WHEREFORE, Plaintiff demands judgment jointly and severally against all Defendants for compensatory damages, punitive damages, interest, counsel fees, costs of suit, and such other relief as the Court deems just and equitable.

### **THIRTEENTH COUNT**

Punitive Damages  
As to all Defendants

123. Plaintiff repeats and realleges all prior paragraphs as though fully set forth herein.

124. The conduct of Defendants, including their agents, employees, security personnel, and independent contractors acting under their direction and control, was undertaken with actual malice and/or wanton and willful disregard for the safety, rights, and well-being of Plaintiff.

125. Defendant's employees and/or agents intentionally initiated a violent physical assault on Plaintiff—who had already complied with instructions to leave, was outside on a public sidewalk, and was posing no threat—by forcefully grabbing him, slamming him against a parked vehicle, and punching him in the face, causing substantial injuries including swelling, pain, and partial vision impairment.

126. The attack was not accidental, mistaken, or merely negligent. It was intentional, violent, and unprovoked, demonstrating conscious disregard of the high probability of causing

serious physical harm.

127. Defendants' conduct further warrants punitive damages based on their corporate-level failures, including but not limited to:

- a. Hiring unqualified or dangerous individuals to work as bouncers/security personnel;
- b. Failing to conduct reasonable screening, background checks, or evaluations of employees and independent contractors entrusted with physical authority over patrons;
- c. Failing to implement and enforce adequate security protocols, de-escalation training, identification procedures, or use-of-force rules;
- d. Failing to supervise or discipline security staff previously known—or who should have been known—to engage in aggressive, reckless, or violent behavior;
- e. Encouraging, authorizing, or permitting a culture in which excessive force is used to remove or intimidate patrons; and
- f. Failing to take corrective action after prior incidents or complaints involving security personnel.

128. The nature of Defendants' misconduct was not isolated or unforeseeable, but rather the predictable result of systemic management failures, reckless indifference to patron safety, and deliberate disregard of known risks associated with untrained or aggressive security personnel in a bar/nightclub environment.

129. Defendants' wrongful conduct demonstrates a conscious and deliberate disregard for the rights and safety of Plaintiff and the public, satisfying the standard for punitive damages under the New Jersey Punitive Damages Act, N.J.S.A. 2A:15-5.10 et seq.

130. Defendants' conduct occurred while their agents and employees were acting within the scope of their employment, and Defendants participated in, authorized, or ratified their

actions through negligent hiring, supervision, training, and retention practices.

131. The acts complained of were accompanied by egregious, outrageous, and morally culpable behavior that transcends mere negligence.

132. Plaintiff therefore demands punitive damages to punish Defendants and to deter similar conduct in the future.

November 18, 2025

PAGLIARA LAW GROUP, P.A.  
/s/ Nicholas A. Pagliara, Esq.  
Attorneys for Plaintiff Date

### **JURY DEMAND**

Plaintiff demands a trial by jury of the within issues.

### **NOTICE OF DESIGNATION OF TRIAL COUNSEL**

Plaintiff hereby designates Nicholas Anthony Pagliara, Esquire as Trial Counsel.

### **CERTIFICATION PURSUANT TO R.4:5-1**

I certify that, to the best of my knowledge, the matter in controversy is not the subject matter of another action pending in any jurisdiction or any pending arbitration proceeding and no other action or arbitration proceeding is contemplated. At the present time, I do not know the names of any other parties who should be joined in this action.

### **DEMAND FOR INSURANCE INFORMATION**

**PLEASE TAKE NOTICE** that pursuant to R. 4:10-2(b), Plaintiff hereby demands production of a copy of all insurance agreements under which the defendants may be covered to

satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.

**DEMAND FOR ANSWERS TO UNIFORM**  
**C INTERROGATORIES**

**PLEASE TAKE NOTICE** that pursuant to Rule 4:17-1(b)(ii)(2), Plaintiff(s), hereby demands Answers to Uniform Interrogatories Form C within sixty (60) days of the filing of Defendant(s) Answer to this Complaint.

PAGLIARA LAW GROUP, P.A.  
**/s/ Nicholas A. Pagliara, Esq.**  
Attorneys for Plaintiff Date