

IN THE COMMON PLEAS COURT OF FRANKLIN COUNTY, OHIO

The Estate of Gregory Coleman, Jr.
through its Administrator
Glenay Coleman
c/o Cooper Elliott
305 West Nationwide Boulevard
Columbus, Ohio 43215,

Plaintiff,

v.

I Love High LLC
(dba Short North Julep)
c/o Statutory Agent, Fadi Michael
2561 Punderson Drive
Hilliard, Ohio 43026

and

I Love This Bar LLC
(dba Park Street Cantina)
c/o Statutory Agent, Fadi Michael
2561 Punderson Drive
Hilliard, Ohio 43026

and

I Love Vine LLC
(dba Granero Lounge)
c/o Statutory Agent, Fadi Michael
2561 Punderson Drive
Hilliard, Ohio 43026

and

Park Street Boys LLC
(dba Callahan's Bar and Rooftop)
c/o Statutory Agent, Fadi Michael
2561 Punderson Drive
Hilliard, Ohio 43026

and

Case No.

Judge

JURY DEMAND
ENDORSED HEREON

Dwayne Cummings	:
Inmate No. 0030211	:
Franklin County Correction Facility II	:
2460 Jackson Pike	:
Columbus, Ohio 43223	:
and	:
	:
Chrystian Foster	:
Inmate No. 0044194	:
Franklin County Correction Facility II	:
2460 Jackson Pike	:
Columbus, Ohio 43223	:
and	:
	:
John Does No. 1 through 5	:
Names and Addresses Unknown,	:
	:
Defendants.	:

COMPLAINT

1. This action arises out of Defendants’ savage and senseless beating of Gregory Coleman Jr. that put him into a coma and ultimately led to his tragic and premature death. Because of Defendants’ negligence, sheer recklessness, willfulness, and/or wantonness, Coleman died after experiencing conscious pain and suffering. Plaintiff, the Estate of Gregory Coleman Jr., brings this action for wrongful death and negligence and alleges as follows.

PARTIES, JURISDICTION, AND VENUE

2. Gregory Coleman Jr. lived in Franklin County Ohio and his Estate was opened in the Common Pleas Court of Franklin County, Ohio, Probate Division. Glenay Coleman brings this action in her capacity as the Administrator of Gregory Coleman Jr.’s Estate.

3. The “Defendant Entities” – I Love High LLC dba Short North Julep (“Julep”), I Love This Bar LLC dba Park Street Cantina, I Love Vine LLC dba Granero Lounge, and Park

Street Boys LLC dba Callahan’s Bar and Rooftop—are Ohio limited liability companies located in Franklin County.

4. Specifically, Defendant I Love High LLC is an Ohio limited liability company with its premises/principal place of business at 1014 N. High Street, Columbus, Ohio. Defendant I Love High LLC’s premises refers to the 1014 N. High Street location, including its patio and contiguous sidewalks and parking lots (“Premises”). Defendant I Love High LLC does business as “Julep” and will be called Julep throughout this Complaint.

5. Upon information and belief, the Defendant Entities were founded, owned, controlled, and operated by Fadi Michael and Sam Michael (the “Michaels”), who also reside in Franklin County Ohio. At all relevant times, the Michaels were both an owner, officer, director, and lessor of Julep and all the Defendant Entities.

6. Upon information and belief, the Michaels operate the Defendant entities as a single enterprise.

7. Upon information and belief, the Defendant entities share resources, money, employees, and information. The Defendant Entities function as a single enterprise to the extent that they are joint employers and they jointly operate the bars and maintain interrelated operations as well as common management, ownership, and control.

8. Upon information and belief, the Michaels, I Love High LLC, and the Defendant Entities are all users of the registered trade name Short North Julep. Thus, Plaintiff can commence or maintain an action against them under R.C. 1329.10.

9. Defendants Chrystian Foster and Dwayne Cummings are Julep and/or Defendant Entity employees who, while on the job or acting within the scope of their employment, savagely

beat Gregory Coleman to death. Chrystian Foster and Dwayne Cummings reside in Franklin County, Ohio.

10. At all relevant times, the Michaels, Julep, and/or the Defendant Entities employed Defendants Chrystian Foster and Dwayne Cummings, who at all times acted within the course and scope of their employment. Chrystian Foster and Dwayne Cummings worked as security at Defendant Entities' stable of bars.

11. Defendants, John Does No. 1 through 5 are current and/or former employees or agents of the Michaels, Julep, and/or the Defendant Entities that participated in the savage beating of Gregory Coleman Jr., or failed to stop the beating or render assistance to him.

12. This Court has jurisdiction over this case because the events giving rise to this action occurred in Franklin County, Ohio.

13. Venue is proper in this Court because the events giving rise to this action occurred in Franklin County and Defendants reside in Franklin County.

BACKGROUND FACTS

14. On September 5, 2022, Greg Coleman walked to get food at a stand parked in front of Julep.

15. Coleman ate his food standing on or near the Julep Premises.

16. Julep's Premises extend to the front sidewalk where it has outdoor seating and patrons congregate.

17. While on Julep's Premises, Coleman struck up a conversation with Julep patrons seated on Julep's patio.

18. Upon information and belief, Julep exerted control over the sidewalk area where Coleman stood by policing the area, attempting to keep bar patrons waiting in line orderly assembled within the area, and by trying to ensure no non-Julep traffic congregated in the area.

19. Upon information and belief, Defendant Chrystian Foster and/or Defendant Dwayne Cummings were acting within the course and scope of their employment with the Defendant entities that night working security for Julep.

20. For some reason, Foster took issue with Coleman, confronted him, and asked him to clear Julep's sidewalk area.

21. Foster escalated his conversation and began to attack Coleman.

22. While Foster and Coleman were having words, the video footage appears to show Defendant Cummings leaving a security stool situated next to the entrance. When Coleman put his hands down and backed off to remove himself from the potential altercation, Cummings sucker punched him directly in the face causing Coleman to crumble to the ground and smash his skull on the pavement.

23. While Coleman lay on Julep's Premises unconscious and defenseless, Cummings and Foster took turns mercilessly beating his face in.

24. Not only did Julep employees attack Coleman, but throughout the entire saga, no Julep employee tried to break up the fight or render Coleman aid as he lay there dying.

25. Below is a picture taken from a video of the incident that shows Foster in his security hat and flak jacket walking away from a lifeless Coleman:



26. Defendants pulverized Coleman’s skull, which put him in a coma and on a ventilator until his tragic death on September 18, 2022.

27. Greg Coleman was just 37 years old and leaves behind a daughter and several other loving family members who will forever mourn his absence.

28. Shortly after, another Julep security guard posted a video of the savage beating on Facebook in a post that tagged Defendant Cummings. The post encouraged people to come to Julep and said, “we make sure y’all safe till we have to protect ON SAUCE[.]” In another comment to the post, Cummings expressed laughter at what he did to Coleman.

29. At his criminal bond hearing, Defendant Cummings’ attorney stated Defendant Foster worked security at Julep and that Cummings worked security for the last six years at the same company as Foster. He explained that Cummings works for a different bar but that it’s the same company that provides security for Julep. The lawyer stated that Cummings beat Coleman to assist/defend a co-worker working security who was in a fight.

30. Defendants Foster and Cummings thought blindsiding Coleman and beating him mercilessly was a part of their job description for the Defendant Entities.

31. While Coleman died comatose on a ventilator with his skull bashed in – his family chooses to remember him like this:



32. Defendants are all equally responsible for what happened to Coleman, especially Julep who cannot control its Premises and fostered an environment that led to Coleman’s savage beating and death.

33. Julep has a deplorable reputation in the local community.

34. Julep’s neighbors recently told the Columbus City Council that Coleman’s beating was not an isolated incident.¹

35. As one neighbor described, “Julep is simply a bad neighbor.” He said the establishment is frequented by young people — including some who he contended appear to be underage — creating constant noise, fighting, public consumption, public urination, littering, and the discharging of firearms. “Almost every busy night there’s people staggering out of there or being carried out.” (*Id.*)

¹ <https://www.dispatch.com/story/news/local/2022/12/06/columbus-city-council-liquor-establishments-violence-permit-objections/69703098007/>

36. Julep's problems have gotten so bad that the Columbus City Council recently voted to officially lodge objections about Julep to the Ohio Liquor Control Commission. (*Id.*)

COUNT ONE – PREMISES LIABILITY
(As to all Defendants)

37. Plaintiff repeats and realleges the allegations above as if fully restated herein.

38. The attack on Coleman occurred on Julep's Premises at the hands of Julep security personnel on property under Julep's control.

39. The attack on Coleman occurred directly in front of John Does 1-5 and other Julep security personnel.

40. At the time of the attack, Coleman stood on Julep's Premises in an area that Julep had assumed possession and control over.

41. To that end, Coleman was Defendants' invitee, and Defendants owed him a duty to provide him security. But rather than provide Coleman security, Julep's security personnel actively beat him to death.

42. Defendants also owed Coleman a duty to rescue and/or aid him and to correct dangerous conditions on their premises and to safeguard him from criminal acts of third persons.

43. The other Defendants knew or should have known Coleman was getting beaten to death on their Premises by Julep employees but did nothing to stop the beating or render aid.

44. Defendants also breached their duties to use ordinary care for Coleman's safety and to keep the property in a reasonably safe condition and to use ordinary care to provide notice of any concealed dangers of which the occupant of the property has knowledge, or which by using ordinary care should have been discovered.

45. Even if Coleman were merely a licensee or a trespasser, Defendants still owed him a duty to refrain from willful, wanton, or reckless conduct which is likely to injure him.

46. And Defendants knew Coleman was in a position of peril on the premises and had a duty to exercise ordinary care not to injure him.

47. Defendants were negligent and breached their duty to exercise reasonable care by beating Coleman to death and encouraging and/or allowing Julep employees and/or agents to do so without taking any steps to stop it or render him aid.

48. Defendants breached their duties and acted negligently by failing to maintain control over the Julep Premises, including but not limited to the front sidewalk area, which caused Plaintiff's serious injuries and eventual death.

49. Defendants breached their duties to Coleman and acted willfully, wantonly, and recklessly in beating him to death.

50. Defendants breached their duties to Coleman by failing to stop the fight, provide assistance, or render aid to Coleman when he was in a life-threatening condition on the Premises.

51. The Defendant Entities breached their duties to Coleman by failing to control their employees.

52. As a direct and proximate result of Defendants' negligence, recklessness, wantonness, and willfulness, Plaintiff suffered catastrophic injury and a wrongful death.

53. To the extent Defendants' conduct exhibited a conscious disregard for Plaintiff's safety, Plaintiff seeks an award of punitive damages and its attorneys' fees and costs for prosecuting this action.

**COUNT TWO - NEGLIGENCE HIRING, TRAINING, EMPLOYMENT,
SUPERVISION, AND RETENTION**
(As to Defendant Entities)

54. Plaintiff repeats and realleges the above allegations as if restated herein.

55. Julep and the other Defendant Entities had a duty to exercise reasonable care in the hiring, employment, training, retention, and supervision of their employees, staff, and other personnel so as not to create an unreasonable risk of harm to Plaintiff and others.

56. Julep and the other Defendant Entities were negligent in the hiring, employment, training, supervision, and retention of management, security, and other personnel, and such negligence caused Plaintiff's serious injuries and eventual death.

57. Stating further, Julep and the other Defendant Entities owed Plaintiff a duty to provide adequate security, including but not limited to, monitoring activities in the bar, the outside patio and the adjacent parking lots and sidewalks, and providing a sufficient number of staff persons, security personnel, and management at the Premises to control unruly patrons and/or employees and/or agents of Julep.

58. Julep and the other Defendant Entities failed to provide adequate security at the Premises by facilitating, partaking in, encouraging, or acquiescing to the savage beating of Gregory Coleman.

59. Julep and the other Defendant Entities had a duty to institute appropriate and reasonable policies and procedures for (i) providing adequate security to protect its patrons and invitees from being subjected to violence; (ii) providing adequate security needed to control the Premises; (iii) the use of force security can use; (iv) reporting fights or disturbances and (v) promptly notifying law enforcement of disturbances and potentially dangerous situations. Their failures to institute and/or enforce such policies and procedures is a proximate cause of Plaintiff's serious injuries and eventual death.

60. As a direct and proximate result of Julep and the other Defendant Entities unlawful conduct, Plaintiff suffered substantial harm, including, but not limited to, medical bills, permanent bodily injury, and other associated harms.

61. As a direct and proximate result of Julep and the other Defendant Entities' failures described above, Plaintiff suffered catastrophic injury and a wrongful death.

COUNT THREE – GENERAL NEGLIGENCE

(As to all Defendants)

62. Plaintiff repeats and realleges the allegations above as if fully restated herein.

63. At all times relevant hereto, Defendants owed Plaintiff a duty to exercise reasonable care and Defendants assumed a duty to safeguard Plaintiff by supplying security on the Premises in the area where the attack occurred.

64. Defendants were negligent and breached their duty to exercise reasonable care by encouraging and/or allowing Foster and Cummings, who were employed by Julep and/or the Defendant Entities, to savagely beat Gregory Coleman to death. Defendants' behavior created the very atmosphere that led to the savage and unjustifiable beating.

65. As a direct and proximate result of Defendants' negligence, Plaintiff suffered catastrophic injury and a wrongful death.

COUNT FOUR – WRONGFUL DEATH

(As to all Defendants)

66. Plaintiff repeats and realleges the foregoing allegations as if restated herein.

67. The Estate of Gregory Coleman asserts a claim under Ohio Revised Code § 2125.01, et seq., for the exclusive benefit of Coleman's next of kin.

68. Defendants' conduct described above constituted negligence, willfulness, wantonness, and recklessness.

69. As a direct and proximate result of Defendants' conduct described above, Gregory Coleman suffered a wrongful death.

70. Defendants' breaches directly and proximately caused Coleman's severe injuries and death.

COUNT FIVE – RESPONDEAT SUPERIOR

71. Plaintiff repeats and realleges the above allegations as if restated herein.

72. At all relevant times herein, Defendants Foster, Cummings, and John Doe 1-5, were acting within the course and scope of their employment with Julep and/or the Defendant Entities. As such, Julep and the Defendant Entities are legally responsible for the acts and omissions of their ostensible employees and/or agents, including Foster, Cummings, and John Does 1-5.

WHEREFORE, Plaintiff respectfully demands judgment in its favor and against Defendants for compensatory damages in excess of \$25,000, punitive damages in an amount to be determined at trial, their costs and attorney fees, and for all other relief this Court deems proper.

Respectfully submitted,

/s/ Rex H. Elliott

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JURY DEMAND

Plaintiff demands a trial by jury by the maximum number of jurors allowed by law on all issues so triable.

/s/ Rex H. Elliott