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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

JOY HOFMANN,

Plaintiff,

vs.

PHILADELPHIA EAGLES
FOOTBALL CLUB, EAGLES
STADIUM OPERATOR, LLC,
SPORTSERVICE CORPORATION,
DELAWARE NORTH COMPANIES,
and PENN SPORTSERVICE, INC.,

Defendants.

Civil No. 06-1252

FIRST AMENDED COMPLAINT
AND JURY DEMAND

Plaintiff, Joy Hofmann residing in Ewing, New Jersey for her complaint says:

STATEMENT OF JURISDICTION AND VENUE

This Court has diversity jurisdiction over this personal injury action. Plaintiff is a resident of the State of New Jersey. Defendant Philadelphia Eagles Football Club is a corporation with its principal place of business located in Philadelphia. Defendant Eagles Stadium Operator, LLC is a limited liability company located in Philadelphia. Defendant SportService Corporation is believed to have a principal place of business located in Philadelphia. Defendant Delaware North Companies is believed to have a principal place of business located in Philadelphia. Defendant

Penn Sportservice, Inc. is believed to have a principal place of business located in Philadelphia. The matter in controversy exceeds, exclusive of interest and costs, the sum specified by 28 U.S.C. § 1332. All events giving rise to this action occurred in Philadelphia. Accordingly, jurisdiction and venue of this action in the Eastern District is proper.

FIRST COUNT

1. On October 31, 2004, plaintiff Joy Hofmann was a business invitee of defendant Philadelphia Eagles Football Club.

2. On this date, plaintiff was lawfully upon the defendant's premises known as the Lincoln Financial Field for the purpose of attending a football game between the Eagles and the Baltimore Ravens.

3. Defendant Philadelphia Eagles Football Club and/or defendant Eagles Stadium Operator LLC own the subject premises and owed a special duty to plaintiff to provide her with a safe environment to enjoy the football game.

4. While plaintiff was en route to her seat in defendant's stadium, she was negligently struck from the side by a hand truck owned and operated by an employee of defendant SportService Corporation and/or defendant Delaware North Companies and/or defendant Penn Sportservice, Inc.

5. At all relevant times, defendants SportService Corporation, Delaware North Companies and/or Penn Sportservice, Inc. were contracted by defendant Philadelphia Eagles Football Club and /or defendant Eagles Stadium Operator LLC to provide concession and vending services at Lincoln Financial Field.

6. As a result of defendants' negligent striking of plaintiff with the hand truck, she was violently thrown to the ground and caused to fracture her wrist.

7. Plaintiff's injury required surgery, may in the future require additional surgery and she has been told by her doctors that she will never regain full motion of her wrist.

8. Defendants Philadelphia Eagles Football Club and/or Eagles Stadium Operator LLC negligently failed to provide plaintiff with a safe environment to watch the football game.

9. Defendants SportService Corporation, Delaware North Companies and/or Penn Sportservice, Inc. negligently failed to train and/or supervise their employees in the proper operation of a hand truck and/or they negligently failed to operate the hand truck in a safe manner at the time and place aforementioned.

10. As a result of defendants' negligence, plaintiff was caused to suffer serious and permanent personal injuries, pain, emotional distress, mental anguish and other damages.

WHEREFORE, plaintiff Joy Hofmann demands judgment against defendants Philadelphia Eagles Football Club, Eagles Stadium Operator LLC, SportService Corporation, Delaware North Companies and Penn Sportservice, Inc. for compensatory damages, interest, counsel fees, costs of suit and all other relief that the Court deems just and equitable.

JURY DEMAND

Plaintiff demands a trial by jury.

LOZIER, LAZZARO & SWEETSER, PC
Attorneys for Plaintiff, Joy Hofmann

s/ Daniel S. Sweetser
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