

CAUSE NO. 048 269872 FILED TARRANT COUNTY

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THOMAS A. WILDER
DISTRICT CLERK *88*

TIMOTHY MCLAUGHLIN AND
PRISCILLA MCLAUGHLIN,
Individually and as Next Friends of
ISAIAH MCLAUGHLIN

VS.

ETHAN COUCH, FREDERICK
COUCH, TONYA COUCH, AND
CLEBURNE METAL WORKS LLC
d/b/a CLEBURNE SHEET METAL

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IN THE DISTRICT COURT OF

TARRANT COUNTY, TEXAS

48th JUDICIAL DISTRICT

PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES Timothy McLaughlin and Priscilla McLaughlin, individually and as Next Friends of Isaiah McLaughlin, hereinafter called Plaintiff, complaining of and about Ethan Couch, Frederick Couch, Tonya Couch, and Cleburne Metal Works LLC d/b/a Cleburne Sheet Metal hereinafter called Defendants, and for cause of action shows unto the Court the following:

I.

DISCOVERY CONTROL PLAN

Discovery is intended to be conducted under Level 3 of the Texas Rules of Civil Procedure.

II.

PARTIES, VENUE AND JURISDICTION

Plaintiff, Timothy McLaughlin, is a resident of Johnson County, Texas and the father of Isaiah McLaughlin. Plaintiff, Priscilla McLaughlin, is a resident of Johnson County, Texas and the mother of Isaiah McLaughlin. Plaintiff, Isaiah McLaughlin, is a minor child who resides in Johnson County, Texas.

Defendant, Ethan Couch, is a Texas resident who can be served as 4324 Silver Creek Road, Fort Worth, Texas 76108.

Defendant, Frederick Couch, is a Texas resident who can be served at 6432 Nine Mile Bridge Road, Fort Worth, Texas 76135.

Defendant, Tonya Couch, is a Texas resident who can be served at 4324 Silver Creek Road, Fort Worth, Texas 76108.

Defendant, Cleburne Metal Works, LLC, d/b/a Cleburne Sheet Metal is a Texas Company that may be served by serving its registered agent, Fred Couch, at 6432 Nine Mile Bridge Road, Fort Worth, Texas 76135.

Jurisdiction is proper in this Court because the amount in controversy exceeds the minimum jurisdictional limits of this Court.

Venue is proper in Tarrant County, Texas because the cause of action occurred in Tarrant County, Texas and because Defendants reside in Tarrant County Texas.

III. STATEMENT OF FACTS

On the evening of June 15, 2013, Isaiah McLaughlin was a passenger in a vehicle driven by Brian Jennings. Brian Jennings was driving in the 1500 block of Burleson Reta Road and had stopped to assist a disable vehicle on the westbound side of the road. Isaiah remained in the vehicle as Brian Jennings exited the vehicle.

Shortly after Brain Jennings exited his vehicle to assist the driver of the disabled vehicle, Defendant Ethan Couch while operating a truck owned by his father's company, struck and killed several pedestrians and struck the vehicle that Isaiah McLaughlin was in causing Isaiah McLaughlin serious injuries.

At the time of the horrific incident Defendant Ethan Couch was driving at a high rate of speed and he was driving while intoxicated.

Defendant Ethan Couch had prior alcohol related convictions and his driver's license required a driver twenty one (21) years of age or older to be seated in the front passenger seat. Defendant Ethan Couch disregarded this restriction and drove the truck under the influence of alcohol.

Defendant Cleburne Metal Works, LLC d/b/a Cleburne Sheet Metal owned or leased the vehicle driven by Ethan Couch and provided the vehicle to Defendant Ethan Couch. Defendant Cleburne Metal Works, LLC d/b/a Cleburne Sheet Metal through its president and owner, Frederick Couch (Ethan Couch's father) knew that Ethan Couch had a history of alcohol related convictions and that he was a reckless, inexperienced and incompetent driver. Plaintiff would show at the time of the horrific incident, Defendant Cleburne Metal Works, LLC d/b/a Cleburne Sheet Metal was negligent since Defendant

Cleburne Metal Works, LLC d/b/a Cleburne Sheet Metal permitted Ethan Couch to drive a company truck anyway.

Plaintiff would show at the time of the horrific incident Defendant Frederick Couch knew that Ethan Couch had a history of alcohol related convictions and that he was a reckless, inexperienced and incompetent driver. Defendant Frederick Couch was negligent since he permitted Ethan Couch to drive a company truck anyway.

Plaintiff would show at the time of the horrific incident Defendant Tonya Couch knew that Ethan Couch had a history of alcohol related convictions and that he was a reckless, inexperienced and incompetent driver. Defendant Tonya Couch was negligent since she permitted Ethan Couch to drive a company truck anyway.

IV.
CAUSES OF ACTION

Defendants were negligent and grossly negligent, and said negligence and gross negligence was a proximate cause of the horrific motor vehicle collision and Plaintiff's damages.

V.
DAMAGES

As a proximate result of Defendants' negligence, Plaintiff has sustained severe damages in an amount within the jurisdictional limits of the Court.

VI.
DEMAND FOR TRIAL BY JURY

Plaintiff requests a trial by jury.

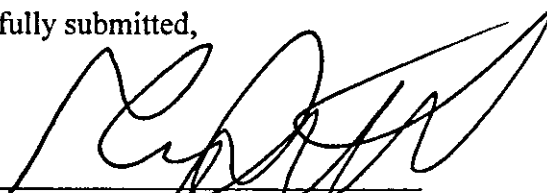
VII.
REQUEST FOR DISCLOSURE

Pursuant to Rule 194 of the Texas Rules of Civil Procedure, all Defendants are requested to disclose, within fifty (50) days of service of this request, the information or materials described in Rule 194.2.

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully prays for damages as set forth above jointly and severally against Defendants, together with pre-judgment interest as allowed by law, court costs, and for such other relief to which they Plaintiff may be entitled, whether in law or equity.

Respectfully submitted,

By:



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