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FILED  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF LOS ANGELES

JAN 24 2011

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15 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
16 COUNTY OF LOS ANGELES, CENTRAL DISTRICT

17 STAFON JOHNSON,

18 CASE NO.

BC 453551

19 *Plaintiff,*

20 **COMPLAINT FOR DAMAGES**  
21 **(Negligence: Personal Injury)**

22 v.

23 [Amount Demanded Exceeds \$25,000]

24 UNIVERSITY OF SOUTHERN  
25 CALIFORNIA; JAMIE YANCHAR;  
26 and DOE 1 through DOE 100, inclusive,

27 *Defendants.*

28 COMES NOW the Plaintiff, STAFON JOHNSON, and for a cause of action against the  
defendants, and each of them, alleges:

**FIRST CAUSE OF ACTION**

**(Negligence: Plaintiff against all Defendants)**

1. All of the acts complained of in this Complaint took place within the jurisdiction of  
this court. At all times mentioned here, each of the named Defendants resided and/or maintained  
its principal place of business within the jurisdiction of this court.

CIT/CASE: BC453551 LK/DEB  
RECEIPT #: CCH4780/013  
DATE PAID: 01/24/11 08:20 AM  
PAYMENT: \$395.00  
RECEIVED: 0310  
CHECK: 395.00  
CASH:  
CHARGE:  
CARD:

D-23  
Bawan V. Shanahan

111 N. HILL STREET  
SUITE 200  
LOS ANGELES, CA 90012

1           2.       Plaintiff STAFON JOHNSON (hereafter referred to as "Mr. JOHNSON") was,  
2 at the time of the events complained of in this action, a resident of the County of Los Angeles, State  
3 of California.

4           3.       The true names and capacities, whether individual, corporate, associate,  
5 governmental, or otherwise of DOE 1 through DOE 100, inclusive, are unknown to Plaintiff at this  
6 time, who therefore sues those Defendants using their fictitious names. Plaintiff will amend this  
7 Complaint to allege the true names and capacities of the fictitious Defendants when that information  
8 becomes known. Plaintiff is informed and believes, and thereon alleges, that each of the Defendants  
9 designated here as a DOE was negligent and/or engaged in other wrongful conduct, and is  
10 responsible in some manner for the events and other conduct referred to in this Complaint.  
11 Plaintiff is also informed and believes that their negligence or other wrongful conduct legally caused  
12 the injuries and damages sustained by Plaintiff as alleged here, either through their own negligent  
13 or wrongful conduct or through the conduct of their agents, servants, or employees, or in some other  
14 manner.

15           4.       At all relevant times mentioned here, each Defendant was the agent, servant,  
16 employee, joint venturer and/or partner, of each of the remaining Defendants, and was at all times  
17 relevant to this matter acting within the course and scope of that agency, employment, servility,  
18 and/or partnership.

19           5.       Plaintiff is informed and believes, and thereon alleges, that at all times relevant to  
20 this action, Defendant UNIVERSITY OF SOUTHERN CALIFORNIA (hereafter, for the sake of  
21 convenience, "Defendant U.S.C.") was and is a private educational institution located in the City and  
22 County of Los Angeles, and was and is a corporate entity registered under the laws of the State of  
23 California; and that Defendants DOE 81 through DOE 100, inclusive, were corporations and/or other  
24 business entities of unknown form and structure, organized under the laws of California and doing  
25 business in the County of Los Angeles, and were owned, managed and operated by Defendants  
26 U.S.C. and/or DOES 61 through 80, inclusive, and each of them.

27           6.       At all relevant times mentioned here, Defendant JAMIE YANCHAR (hereafter,  
28 referred to as "Defendant YANCHAR") was an agent and employee of Defendant U.S.C., employed

1 as an assistant strength and conditioning coach of Defendant U.S.C.'s men's football team, and all  
2 of his acts and/or omissions, as described here, were undertaken within the course and scope of that  
3 agency and employment. At all relevant times mentioned here, Defendants U.S.C. and YANCHAR  
4 held YANCHAR out to possess that degree of skill, learning, ability, care and competence as is  
5 ordinarily possessed by reputable and competent strength and conditioning coaches employed by  
6 football programs of major universities across the United States and/or in a same or similar locality  
7 and under similar circumstances as are described here.

8 7. At all times material to this action, Mr. JOHNSON was an undergraduate student at  
9 Defendant U.S.C. and was a member of the men's football team. At the time of the incident  
10 described below, Mr. JOHNSON was a four year member of the football team, in his "senior" year  
11 at U.S.C., and was the starting tailback and leading rusher on the football team.

12 8. The incident which is the subject of this action occurred at approximately 11:00 a.m.  
13 on the morning of September 28, 2009, in the weight room on Defendant U.S.C.'s campus. The  
14 incident occurred while Mr. JOHNSON and other members of the men's football team, were  
15 engaged in weight-lifting training, as a part of required football activities and practice. The weight-  
16 lifting training session was taking place under the direction and supervision of, among others,  
17 Defendant YANCHAR, who was acting in his capacity and within the course and scope of his  
18 employment, as the assistant strength and conditioning coach of the football team. As described  
19 below, Defendant YANCHAR's, and the remaining Defendants', acts and omissions contributed  
20 to Mr. JOHNSON suffering the injuries described here.

21 9. On or about September 28, 2009, as described above, Mr. JOHNSON was engaged  
22 in weight-lifting practice, which was being conducted and supervised by Defendants YANCHAR  
23 and DOE 1 through DOE 10, inclusive. At that time and place, while Mr. JOHNSON was lifting  
24 weights, and specifically performing bench presses, Defendant YANCHAR was supposed to be, and  
25 was specifically charged with and undertook the responsibility of, "spotting" Mr. JOHNSON while  
26 he was performing those bench presses. In engaging in his weight lifting activities on that date,  
27 Mr. JOHNSON was relying on YANCHAR's previously represented abilities and competence as  
28 a strength and conditioning coach, and on the fact that YANCHAR had specifically undertaken to

1 "spot" Mr. JOHNSON while he was performing his bench presses. At that time, and known to  
2 Defendant YANCHAR, Mr. JOHNSON was lifting up to two hundred and seventy five (275)  
3 pounds of weights. While Mr. JOHNSON was just starting to perform his first lift of 275 pounds,  
4 the bar was dropped, hit, and/or fell onto his neck, causing him to suffer severe injuries to his neck  
5 and person, as described at paragraphs 11 and 12 below. The bar was dropped, hit, and/or fell onto  
6 Mr. JOHNSON's neck by reason of, and as a result of, the negligent, reckless and careless acts and  
7 omissions of each of the Defendants including YANCHAR and DOE 1 through DOE 10.

8 10. At all times relevant to this action, and specifically on September 28, 2009, at the  
9 time of the above-described weight lifting training practice, all Defendants including but not limited  
10 to Defendants YANCHAR and U.S.C., negligently, carelessly and recklessly performed the  
11 responsibilities and duties that YANCHAR had agreed to perform for Plaintiff's benefit in  
12 supervising and directing the weight lifting practice and in "spotting" Mr. JOHNSON while he was  
13 engaging in his bench press training on that date. The Defendants including Defendants YANCHAR  
14 and DOE 1 through DOE 10, failed to use the care, skill and attention ordinarily exercised in like  
15 cases by competent, reputable and reasonable members of their profession practicing in the same  
16 or a similar locality under similar circumstances, and to use reasonable diligence and care in the  
17 exercise of skill, in an effort to supervise the practice and to safely and properly "spot" Mr.  
18 JOHNSON while he was participating in his bench pressing activities. In particular, on that date,  
19 while Mr. JOHNSON was just starting to make his first lift of 275 pounds, Defendant YANCHAR  
20 engaged in the following negligent, careless and reckless acts and omissions, among others:

21 (1) He was distracted and was not paying attention to Mr. JOHNSON at the time that  
22 the bar was being lifted from the weight rack, in that his attention was directed away from Mr.  
23 JOHNSON and was instead directed towards one or more other members of the football team who  
24 were not then engaging in weight lifting activities. At that time, Defendant YANCHAR knew or  
25 should have known that he was not paying proper attention to Mr. JOHNSON as the bar was being  
26 lifted from the weight rack, and knew or should have known that his failure to pay proper attention  
27 was creating a significant and increased risk to Mr. JOHNSON as he was attempting to engage in  
28

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1 his weight lifting training, in part because Mr. JOHNSON was relying on YANCHAR to properly  
2 "spot" this weight lifting activity; and/or,

3 (2) Because Defendant YANCHAR was distracted and was not paying attention to  
4 Mr. JOHNSON, he failed to take notice that, as the bar was being lifted from the rack, Mr.  
5 JOHNSON was not then ready to take hold of and lift the bar; and/or,

6 (3) As the bar was just being placed into Mr. JOHNSON's hands, and because he  
7 was negligently and carelessly inattentive to properly placing the bar into Mr. JOHNSON's hands  
8 and making sure that Mr. JOHNSON was ready for the bar to be placed into his hands, Defendant  
9 YANCHAR hit the bar with his own body before Mr. JOHNSON had a grip on the bar with both of  
10 his hands; and/or,

11 (4) Because YANCHAR struck the bar, while Mr. JOHNSON was attempting to get  
12 the bar settled into both hands and thus was not ready to safely grasp the bar on his own, the bar was  
13 knocked off balance and slipped from Mr. JOHNSON's hands and fell directly onto Mr.  
14 JOHNSON's neck. Defendant YANCHAR's negligent, careless and reckless act and omission, in  
15 striking the bar with his body, was something that Mr. JOHNSON was not expecting to occur, and  
16 he was therefore unprepared for the bar to be knocked off balance. Defendant YANCHAR's  
17 negligent, careless and reckless act and omission, in striking the bar with his body, substantially  
18 increased the risk inherent in Mr. JOHNSON's bench pressing on that date, because as a "spotter,"  
19 "coach," and "instructor" responsible for supervising the activities of those under his charge,  
20 YANCHAR was supposed to act as a safety net for Mr. JOHNSON, rather than acting to actively  
21 interfere with his weight lifting and essentially knocking the bar out of Mr. JOHNSON's hands and  
22 onto his neck.

23 11. As a legal result of the Defendants' negligent and reckless acts and omissions,  
24 Mr. JOHNSON was hurt and injured in his health, strength and activity, sustaining injury to his  
25 body, and shock and injury to his nervous system and person. Plaintiff has, as a result, suffered and  
26 will continue to suffer great mental, physical and nervous strain, pain and suffering, including but  
27 not limited to: a laryngeal fracture and an acute airway obstruction secondary to blunt neck trauma,  
28 resulting in his voice box being crushed with the upper portion being separated from the lower

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1 portion, and the majority of the lining of the larynx being degloved, all of which required micro-  
2 surgical reconstruction and repair. Mr. JOHNSON is informed and believes that those injuries are  
3 permanent, all of which have caused in the past and will cause in the future damages in an amount  
4 in excess of the minimum jurisdictional limits of this court, but which is to be determined according  
5 to proof at trial.

6 12. As a further legal result of the Defendants' negligence and recklessness,  
7 Mr. JOHNSON has incurred in the past and will incur in the future expenses for medical care for  
8 his injuries, including but not limited to hospitalization immediately after the incident for several  
9 weeks and several surgical procedures being performed since the initial surgery, all in an amount  
10 to be determined according to proof at trial.

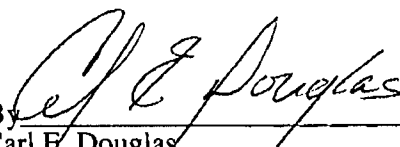
11 13. As a further legal result of Defendants' negligence and recklessness, Mr. JOHNSON  
12 has lost earnings from his employment and sustained injury to his future earning capacity and will  
13 sustain loss of future earnings, all in an amount to be determined according to proof at trial.

14  
15 WHEREFORE, Plaintiff STAFON JOHNSON prays for judgment as follows:

- 16 1. For general damages, including pain and suffering, according to proof at time of trial;  
17 2. For special damages, including medical-related expenses;  
18 3. For special damages, including loss of earnings and loss of earning capacity;  
19 4. For costs of suit;  
20 5. For interest on damages as allowed by law;  
21 6. For such other and further relief as the Court may deem just and proper.

22  
23 DATED: January 24, 2011

THE DOUGLAS LAW GROUP  
ANTABLIN & BRUCE

24  
25  
26 By   
27 Carl E. Douglas  
28 Attorneys for Plaintiff STAFON JOHNSON

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