

471-02892-2021  
CAUSE NO. \_\_\_\_\_

**BRANDON WILLIAMS,**  
**Plaintiff,**

vs.

**EZEKIEL ELLIOTT AND**  
**BLISS PET RESORT, LLC**  
**Defendants.**

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**IN THE DISTRICT COURT**

\_\_\_\_\_ **JUDICIAL DISTRICT**

**COLLIN COUNTY, TEXAS**

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**PLAINTIFF'S ORIGINAL PEITION**

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Brandon Williams, by and through his counsel, Etan Z. Tepperman of Tepperman Law PLLC, files this lawsuit complaining of Ezekiel Elliott and Bliss Pet Resort, LLC, respectfully showing the Court the following:

**I. INTRODUCTION AND DISCOVERY LEVEL**

1. Ezekiel Elliott allows his dogs, particularly his massive rottweiler, to attack members of the community. Elliott's dogs have attacked pool cleaners, pet boarding center employees, and people in Elliott's own neighborhood. He knows his dogs are dangerous, yet apparently, he is not concerned about them attacking people. It is clear that the safety of the community and others who interact with Elliott's dogs are of no concern to Elliott. Pursuant to Rule 190.3, Plaintiff hereby alleges that discovery will be conducted pursuant to Level 2 of Rule 190 of the Texas Rules of Civil Procedure.

**II. JURISDICTION AND VENUE**

2. Venue is proper in Collin County, Texas pursuant to chapter 15 of the Texas Civil Practice & Remedies Code because all or a substantial part of the events that form the basis of this lawsuit occurred in Collin County.

3. Williams' damages are within the Court's jurisdictional limits. While the Jury ultimately decides the amount of controversy, the Texas Rules of Civil Procedure requires that a party make a statement regarding the relief sought. Currently, Williams seeks damages of \$250,000.00 but not more than \$1,000,000.00. Williams reserves the right to amend his petition should such an amendment be necessary.

### **III. PARTIES**

4. Williams is a resident of Collin County, Texas.

5. Defendant Ezekiel Elliott is an individual who resides in Collin County, Texas. He may be served with process at 4883 Orchard Park Drive, Frisco, Texas 75034 or wherever else he may be found.

6. Defendant Bliss Pet Resort, LLC ("BPR") is a limited liability company that operates in the state of Texas. Bliss can be served with process by serving its registered agent, Nicole Linden, at 200 East 1st Street, Prosper, Texas 75078.

### **IV. FACTS**

7. By March of 2021, Elliott's rottweiler had already attacked at least two people. Elliott boarded his rottweiler and two bulldogs at BPR, a self-described pet resort and pet spa. Williams was an employee of BPR. On March 25, 2021, Williams took Elliott's three dogs outside so they could relieve themselves. As Williams was trying to get them back inside, the rottweiler seized William's right arm in its powerful jaws, clamped down, and pulled Williams to the ground. Williams was seriously injured and required stitches because of the vicious dog attack.

## V. CAUSE OF ACTION

### **Count 1 – Negligence Against Elliott**

8. Elliott is the owner of the rottweiler that attacked Williams. Elliott, at the time of the attack, knew his rottweiler was dangerous and knew the danger that dog posed to others. Elliott owed a duty to exercise reasonable care to prevent his dog from attacking others, including Williams. Elliott breached that duty by, among other things, failing to take reasonable measures to protect Williams from his dangerous dog. As a result of Elliott's failure to exercise ordinary care to protect Williams, Elliott's rottweiler attacked Williams, causing significant physical injury, pain, and mental anguish.

### **Count 2 – Strict Liability Against Elliott**

9. Pleading in the alternative to the extent necessary, Elliott is strictly liable for his rottweiler attacking Williams. Elliott is the owner of the rottweiler that attacked Williams. By the time of this attack, Elliott knew and/or had reason to know that his rottweiler had dangerous propensities considering that this dog attacked at least two people prior to this attack. The rottweiler's known dangerous propensities were the producing cause of Williams' injuries and damages because it attacked Williams.

### **Count 3 – Gross Negligence Against Elliott**

10. Pleading in the alternative to the extent necessary, Elliott's actions, when viewed objectively from Elliott's standpoint involve an extreme degree of risk, considering the probability and magnitude of the potential harm to others. Elliott had actual, subjective awareness of the risk involved, but nevertheless proceeded with conscious indifference to the rights, safety, or welfare of others.

#### **Count 4 – Negligence Against BPR**

11. Pleading in the alternative to the extent necessary, BPR is guilty of negligence by failing to provide a safe work environment for Williams, among other things. BPR owes a duty to use reasonable care to protect its employees, including Williams. BPR breached that duty by failing to take reasonable measures to protect Williams and other employees from vicious dog attacks. As a result of BPR's failures to exercise reasonable care, Williams was attacked by a rottweiler and suffered serious physical injuries, pain, and mental anguish.

#### **VI. DAMAGES**

12. As a direct and proximate result of the occurrence made the basis of this lawsuit, Williams suffered personal injuries, some of which are permanent in nature.

13. Williams has incurred the following damages:
- a. Reasonable and necessary medical care and expenses that will in all reasonable probability be incurred in the future;
  - b. Physical pain and suffering in the past;
  - c. Physical pain and suffering in the future;
  - d. Permanent scarring;
  - e. Mental anguish in the past; and
  - f. Mental anguish in the future.

#### **VII. EXEMPLARY DAMAGES**

14. Due to the gross negligence involved in this lawsuit, Elliott is liable to Williams for exemplary damages.

#### **VIII. USE OF DOCUMENTS PRODUCED**

15. Pursuant to Rule 193.7 of the Texas Rules of Civil Procedure, any and all documents produced by the defendants in response to Williams' written discovery requests are intended to be used by Williams and shall be deemed as properly authenticated for use against the defendant producing such documents in any pretrial proceeding or trial of this case.

**IX. JURY DEMAND**

16. Williams hereby demands a trial by jury.

**PRAYER**

WHEREFORE, PREMISES CONSIDERED, Williams prays that Ezekiel Elliott and Bliss Pet Resort, LLC be cited to appear and answer, and that upon final trial of this cause, Williams recover:

- a. Judgment against Elliott for Williams' damages as set forth above, in an amount within the jurisdictional limits of this Court;
- b. Judgment against Bliss Pet Resort, LLC for Williams' damages as set forth above, in an amount within the jurisdictional limits of this Court;
- c. Judgment against Elliott and Bliss Pet Resort, LLC, jointly and severally, as allowed by law;
- d. Prejudgment interest on Williams' damages as allowed by law;
- e. Interest on the judgment at the legal rate from date of judgment;
- f. Costs of court; and
- g. Such other and further relief to which Williams may be entitled.

Respectfully submitted,

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By: \_\_\_\_\_



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**ATTORNEY FOR BRANDON WILLIAMS**