

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

Kylie Erickson,

Plaintiff,

vs.

James Ventures, LLC d/b/a Loggerheads
Beach Grill and Jenna Mattox,

Defendant.

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT

CASE NO.: 2018-CP-10-05822

ANSWER OF DEFENDANT
JENNA MATTOX
(Jury Trial Demanded)

FILED
2019 APR -2 PM 2:19
CLERK OF COURT
JUDICIAL CIRCUIT
NINTH

TO: CHRISTOPHER T. DORSEL, ATTORNEY FOR PLAINTIFF KYLIE ERICKSON

The Defendant, Jenna L. Mattox, answering the Complaint of the Plaintiff, above named, and responding to the allegations as follows:

1. Defendant Mattox lacks sufficient information to form a belief as to the allegations in Paragraph 1 of Plaintiff's Amended Complaint, and therefore denies the same.
2. Defendant Mattox lacks sufficient information to form a belief as to the allegations in Paragraph 2 of Plaintiff's Amended Complaint and therefore denies the same.
3. Defendant Mattox admits being a citizen and resident of South Carolina.
4. Defendant Mattox admits this Court has personal and subject matter jurisdiction.
5. Defendant Mattox admits Venue is proper in Charleston County.
6. Defendant Mattox admits she has a duty to operate her vehicle in a reasonable and safe manner and follow the laws of South Carolina.

7. The allegations in Paragraph 7 of Plaintiff's Amended Complaint are not directed to this defendant. To the extent any response is required, the same is denied.

8. Defendant Mattox admits she consumed alcoholic beverages at Loggerheads, then drove her car under the influence. Defendant admits an accident occurred between her car and a car driven by Eric Pinckney. Defendant denies the remaining allegations.

9. No response is required to Paragraph 9 of Plaintiff's Amended Complaint. To the extent that any response is required, the same is denied.

10. Defendant Mattox admits on April 21, 2017 she was employed by Rita's Bar and Grill on Folly Beach working as a server assistant.

11. Defendant Mattox admits after finishing her shift she walked to Loggerheads to have an alcoholic beverage.

12. Defendant Mattox admits on April 21, 2017 Loggerheads was open for business and served alcoholic beverages. Defendant Mattox lacks sufficient information to form a belief as to the remaining allegations and therefore denies the same.

13. Defendant Mattox admits arriving at Loggerheads sometime after 4pm and having an alcoholic beverage. Defendant does not remember how long she was at Loggerheads, lacks sufficient knowledge to form a belief regarding the remaining allegations, and therefore denies the same.

14. Defendant Mattox admits she was employed by Rita's Bar and Grill and had been working in the Food and Beverage industry for approximately two weeks. Defendant denies knowing the bartender who was serving her.

15. Defendant Mattox admits she was employed by Rita's Bar and Grill and had been working in the Food and Beverage industry for approximately two weeks. Defendant denies knowing the bartender who was serving her. Defendant lacks sufficient knowledge to form a belief regarding the remaining allegations and therefore denies the same.

16. Defendant Mattox lacks sufficient information to form a belief about the allegations in Paragraph 16 of Plaintiff's Amended Complaint, and therefore denies the same.

17. Defendant Mattox admits the depiction in Paragraph 17 of Plaintiff's Amended Complaint bears her signature.

18. Defendant Mattox lacks sufficient information to form a belief about the allegations in Paragraph 18 of Plaintiff's Amended Complaint, and therefore denies the same.

19. Defendant Mattox lacks sufficient information to form a belief about the allegations in Paragraph 19 of Plaintiff's Amended Complaint, and therefore denies the same.

20. Defendant Mattox does not recognize the signature depicted in Paragraph 20 of Plaintiff's Amended Complaint and therefore denies the allegations.

21. Defendant Mattox does not remember what time she left Loggerheads, lacks sufficient knowledge to form a belief as to the allegations in Paragraph 21 of Plaintiff's Amended Complaint, and therefore denies the same.

22. Defendant Mattox remembers ordering two drinks at Loggerheads. Defendant lacks sufficient information to form a belief regarding the remaining allegations and therefore denies the same.

23. Defendant Mattox remembers ordering two drinks at Loggerheads. Defendant lacks sufficient information to form a belief regarding the remaining allegations and therefore denies the same.

24. Defendant does not remember leaving Loggerheads, but admits she was under the influence when she left Loggerheads.

25. Defendant Mattox does not remember any Loggerhead employees attempting to prevent her from leaving, lacks sufficient knowledge to form a belief as to the allegations in Paragraph 25 of Plaintiff's Amended Complaint, and therefore denies the same.

26. Defendant Mattox does not remember any Loggerhead employees offering her an alternative means of transportation, lacks sufficient knowledge to form a belief as to the allegations in Paragraph 26 of Plaintiff's Amended Complaint, and therefore denies the same.

27. Defendant Mattox does not remember leaving Loggerheads, but admits she drove her car after leaving Loggerheads to return home.

28. Defendant Mattox admits after leaving Loggerheads, she drove her car to return home.

29. Defendant Mattox admits rear-ending a vehicle on Folly Road.

30. Defendant Mattox admits she did not stop after rear-ending the vehicle and continued to drive. Defendant Mattox lacks sufficient knowledge to form a belief as

to the remaining allegations in Paragraph 30 of Plaintiff's Amended Complaint, and therefore denies the same.

31. Defendant Mattox lacks sufficient knowledge to form a belief as to the allegations in Paragraph 31 of Plaintiff's Amended Complaint, and therefore denies the same.

32. Defendant Mattox lacks sufficient knowledge to form a belief as to the allegations in Paragraph 32 of Plaintiff's Amended Complaint, and therefore denies the same.

33. Defendant Mattox lacks sufficient knowledge to form a belief as to the allegations in Paragraph 33 of Plaintiff's Amended Complaint, and therefore denies the same.

34. Defendant Mattox does not remember how an accident between her vehicle and plaintiff's vehicle occurred, lacks sufficient knowledge to form a belief as to the allegations in Paragraph 34 of Plaintiff's Amended Complaint, and therefore denies the same.

35. Defendant Mattox lacks sufficient information to form a belief as to the allegations in Paragraph 35 of Plaintiff's Amended Complaint and therefore denies the same.

36. Defendant Mattox lacks sufficient information to form a belief as to the allegations in Paragraph 36 of Plaintiff's Amended Complaint, and therefore denies the same.

37. Defendant Mattox lacks sufficient information to form a belief as to the allegations in Paragraph 37 of Plaintiff's Amended Complaint, and therefore denies the same.

38. Defendant Mattox does not remember how an accident between her vehicle and a third vehicle occurred, lacks sufficient knowledge to form a belief as to the allegations in Paragraph 38 of Plaintiff's Amended Complaint, and therefore denies the same.

39. Defendant Mattox admits she was initially charged with Felony Driving under the Influence; Great Bodily Injury Results which was revised to Driving under the influence, first offense.

40. Defendant Mattox admits to driving under the influence. Defendant denies the remaining allegations.

41. Defendant Mattox lacks sufficient information to form a belief as to the plaintiff's injuries, if any, resulting from this accident and therefore denies the same.

42. Defendant Mattox lacks sufficient information to form a belief as to the plaintiff's injuries, if any, resulting from this accident and therefore denies the same.

43. No response is required to Paragraph 43 of Plaintiff's Amended Complaint. To the extent any response is required, the same is denied.

44. Defendant Mattox admits she consumed alcoholic beverages at Loggerheads, then drove her car under the influence. Defendant admits an accident occurred between her car and a car driven by Eric Pinckney. Defendant lacks sufficient information to form a belief regarding the remaining allegations, and therefore denies the same.

45. Defendant Mattox admits she consumed alcoholic beverages at Loggerheads, then drove her car under the influence. Defendant admits an accident occurred between her car and a car driven by Eric Pinckney. Defendant denies the remaining allegations.

46. Defendant Mattox admits she consumed alcoholic beverages at Loggerheads, then drove her car under the influence. Defendant admits an accident occurred between her car and a car driven by Eric Pinckney. Defendant denies the remaining allegations.

47. No response is required to Paragraph 47 of Plaintiff's Amended Complaint. To the extent that any response is required, the same is denied.

48. The allegations contained in Paragraphs 48 of Plaintiffs' Complaint are not directed to this defendant and therefore do not require a response. To the extent a response is required, defendant denies the allegations.

49. The allegations contained in Paragraph 49 of Plaintiffs' Complaint are not directed to this defendant and therefore do not require a response. To the extent a response is required, defendant denies the allegations.

50. The allegations contained in Paragraph 50 of Plaintiffs' Complaint are not directed to this defendant and therefore do not require a response. To the extent a response is required, defendant denies the allegations.

51. The allegations contained in Paragraph 51 of Plaintiffs' Complaint are not directed to this defendant and therefore do not require a response. To the extent a response is required, defendant denies the allegations.

52. The allegations contained in Paragraph 52 of Plaintiffs' Complaint are not directed to this defendant and therefore do not require a response. To the extent a response is required, defendant denies the allegations.

53. The allegations contained in Paragraph 53 of Plaintiffs' Complaint are not directed to this defendant and therefore do not require a response. To the extent a response is required, defendant denies the allegations.

54. The allegations contained in Paragraph 54 of Plaintiffs' Complaint are not directed to this defendant and therefore do not require a response. To the extent a response is required, defendant denies the allegations.

55. The allegations contained in Paragraph 55 of Plaintiffs' Complaint are not directed to this defendant and therefore do not require a response. To the extent a response is required, defendant denies the allegations.

56. The allegations contained in Paragraph 56 of Plaintiffs' Complaint are not directed to this defendant and therefore do not require a response. To the extent a response is required, defendant denies the allegations.

57. Defendant Mattox lacks sufficient information to form a belief regarding injuries to plaintiff, if any, resulting from this accident. Defendant denies the remaining allegations.

58. Denied.

59. Each and every allegation of the Complaint which is not specifically admitted, qualified or explained is denied and strict proof is demanded thereof.

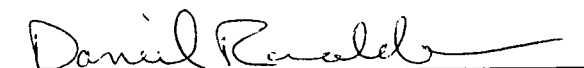
FOR A FIRST DEFENSE
(Negligence of a Third Party)

60. The allegations contained in the preceding paragraphs are incorporated herein as if fully repeated verbatim.

61. Plaintiff's alleged injuries were directly and proximately caused by a party other than this Defendant, who cannot be held liable for the negligence of others.

WHEREFORE, having fully answered the Complaint of the Plaintiff, the Defendant prays for a trial by jury and that the Plaintiff's Amended Complaint be dismissed, together with the costs and disbursements of this action and for such other and further relief as this Court may deem just and proper.

CLAWSON and STAUBES, LLC



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Attorney for Jenna L. Mattox

Charleston, South Carolina

April 2, 2019

2018-CP-10-5822
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing

ANSWER OF DEFENDANT JENNA MATTOX

was served upon the following parties on the 2nd day of April, 2019, via:

X	United States Postal Service
	Facsimile
	Electronic Email
	Via Hand Delivery

FILED
2019 APR -2 PM 2:17
JULIE A. ASPERINO
CLERK OF COURT
BY _____

Brandon S. Cabot, Esq.
Rogers, Townsend & Thomas
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Attorney For: Kylie Erickson



ASHLEY BILBY



Daniel P. Rinaldo
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April 1, 2019

File No.: 20190523.000

VIA HAND DELIVERY

The Honorable Julie J. Armstrong
Charleston County Clerk of Court
100 Broad St Ste 106
Charleston, SC 29401-2210

Re: Kylie Erickson vs. James Ventures, LLC d/b/a Loggerheads Beach Grill and
Jenna Mattox
Case No.: 2018-CP-10-05822

Dear Ms. Armstrong:

Enclosed please find an original and one copy of the Answer of Defendant Jenna Mattox in the above-referenced case. Please file the original along with the other documents in this case and return the file stamped copy to our office. Should you have any questions, please do not hesitate to contact me.

Thank you very much for your attention to this matter.

Very truly yours,

CLAWSON and STAUBES, LLC

A handwritten signature in black ink that reads "Daniel P. Rinaldo". The signature is fluid and cursive, with a long horizontal stroke at the end.

Daniel P. Rinaldo

DPR/alb

Enclosure

cc: **VIA US MAIL**
Christopher T. Dorsel, Esq.
Brandon S. Cabot, Esq.