

**IN THE CIRCUIT COURT OF CITY OF ST. LOUIS  
STATE OF MISSOURI**

[REDACTED],	)	
	)	Cause No:
Plaintiff,	)	
	)	Division:
v.	)	
	)	
[REDACTED],	)	
Serve: [REDACTED]	)	
	)	
[REDACTED],	)	
Serve: [REDACTED]	)	
	)	
[REDACTED]	)	
Serve: [REDACTED]	)	
	)	
[REDACTED]	)	
Serve: [REDACTED]	)	
	)	
	)	
	)	
	)	
	)	
	)	
	)	
Defendants.	)	

**PETITION**

COME NOW Plaintiff, [REDACTED], by and through her undersigned attorney, and states the following for her Petition against Defendants:

**ALLEGATIONS APPLICABLE TO ALL COUNTS**

1. Plaintiff [REDACTED] resides at [REDACTED], St. Louis City, Missouri [REDACTED].
2. Defendants [REDACTED] and [REDACTED] reside at

████████████████████ St. Louis City, Missouri ██████████.

3. Defendant ██████████, ██████████ is a Missouri Limited Liability Company duly registered, doing business and in good standing in Missouri, which can be served with process on their registered agent at the address referenced above. Defendant owns and/or operates residential property in St. Louis County, Missouri and are owners of the premises at issue.

4. Defendant ██████████ is a Missouri Limited Liability Company duly registered, doing business and in good standing in Missouri, which can be served with process on their registered agent at the address referenced above. Defendant owns and/or operates residential property in St. Louis County, Missouri and are owners of the premises at issue.

5. Venue is proper in this Court pursuant to R.S.Mo § 508.010.

6. On or about November 4, 2016, Plaintiff let her dog, ██████████, out into the back yard fenced area of her home on ██████████ St. Louis, MO ██████████. Upon letting her dog out, the Plaintiff noticed that her new neighbors (Defendants ██████████ and ██████████) had moved in and let their two pit bulls dogs out into their own backyard located at ██████████, St. Louis, MO ██████████.

7. Two dogs owned by the Defendants burrowed underneath their fence, entered the Plaintiff's property, and attacked the Plaintiff's dog ██████████. While trying to save her dog ██████████, the Defendants dogs bit and severely injured Karma. One or both of the Defendant's dogs also bit and severely injured Plaintiff's right hand.

8. The Defendant's dogs had vicious propensities. On November 4, 2016, the Defendants knew or should have known, that their dogs had vicious propensities, known to belong to the pit bull breed.

### **COUNT I-NEGLIGENCE**

9. Plaintiff adopts and incorporates the Allegations Applicable to All Counts as though fully set forth herein.

10. The Defendants were negligent in permitting their dogs with vicious propensities to occupy a yard that was not adequately fenced in.

11. The Defendants were negligent in permitting their dogs with vicious propensities to be inadequately tethered, restrained, and/or leashed.

12. The Defendants were negligent in failing to prevent their dogs from injuring the Plaintiff and her chattel.

13. As a direct and proximate result of the negligent conduct described above, Plaintiff [REDACTED] suffered a severe bite on her right hand which has caused permanent tendon injury and scarring. The chattel, owned by [REDACTED], was also damaged, requiring medical care and attention at an animal hospital. Plaintiff has sustained, and will in the future sustain, damages for medical bills and costs relating to medical treatment for her injuries. Plaintiff has endured pain and suffering in the past and will do so in the future. Plaintiff has suffered emotional distress in the past and will continue to do so in the future.

### **COUNT II-STRICT LIABILITY**

14. Plaintiff adopts and incorporates the Allegations Applicable to All Counts as though fully set forth herein.

15. Defendants are strictly liable for the damages inflicted upon Plaintiff by Defendants' dog pursuant to RSMo. § 322.145.

16. Defendants are strictly liable for the damages inflicted upon the Plaintiff by the Defendants' dog pursuant to St. Louis City ordinance § 10.04.220. The Defendants permitted their dogs to be upon a public place without a leash.

17. As a direct and proximate result of Defendants' above-described conduct, Plaintiff [REDACTED] suffered a severe bite from the Defendants' dog on her right hand, which caused permanent tendon injury and scarring. The chattel, owned by [REDACTED] was also damaged, requiring medical care and attention at an animal hospital. Plaintiff has sustained, and will in the future sustain, damages for medical bills and costs relating to medical treatment for her injuries. Plaintiff has endured pain and suffering in the past and will do so in the future. Plaintiff has suffered emotional distress in the past and will continue to do so in the future.

**WHEREFORE**, Plaintiff [REDACTED] respectfully requests judgment against Defendants for her damages in an amount greater than the \$25,000.00 jurisdictional limits of this court, and for any further just and proper relief.

Respectfully submitted,

**Burger Law, LLC**

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Gary K. Burger, #43478  
500 N. Broadway, Suite 1350  
St. Louis, Missouri 63102  
Telephone: (314) 542-2222  
Facsimile: (314) 588-9402  
[gary@burgerlaw.com](mailto:gary@burgerlaw.com)  
*Attorney for Plaintiff*