

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISION

**RICHARD PRATHER**

\*

**NO.**

\*

**VERSUS**

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**KEURIG, INC. AND KEURIG  
GREEN MOUNTAIN, INC.**

\*

**MAG. JUDGE:**

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**COMPLAINT**

The complaint of Richard Prather alleges upon information and belief as follows:

I.

Plaintiff, Richard Prather, is a person of the full age of majority and a citizen of the State of Louisiana.

II.

Made Defendants herein are:

a. Keurig, Inc., a Vermont Corporation having its principal place of business in the State of Vermont; and

b. Keurig Green Mountain, Inc., a Vermont Corporation having its principal place of business in the State of Vermont.

III.

The amount in controversy in this case exceeds \$75,000, exclusive of interest and costs.

IV.

This Honorable Court has jurisdiction by virtue of diversity of citizenship, as recognized in 28 U.S.C. § 1332(a)(1).

V.

On December 10, 2015, plaintiff sustained serious, permanent and disabling injuries when a Keurig Mini Plus Brewing System Model K10 suddenly and unexpectedly emitted a large amount of pressurized boiling water and steam which immediately came in contact with plaintiff's person.

VI.

The Keurig Mini Plus Brewing System Model K10 was manufactured and placed into the stream of commerce by either Keurig, Inc. or Keurig Green Mountain, Inc.; for purposes of simplicity, hereinafter both defendants will be collectively referred to as "Keurig" (plaintiff is willing to dismiss the Keurig entity having no potential responsibility for this incident when the proper defendant provides appropriate assurances).

VII.

Keurig is liable unto plaintiff because the Keurig Mini Plus Brewing System Model K10 was unreasonably dangerous in its design, its manufacture and/or the components

utilized to comprise same all as contemplated within the Louisiana Products Liability Act; additionally, Keurig is liable based upon its failure to provide a timely warning and/or recall of the defective product upon learning of the propensity for an occurrence such as that which occurred to plaintiff.

VIII.

As a consequence of the foregoing, plaintiff claims damages from Keurig which, as of the present time, can best be estimated as follows:

a.	Past and future medical expenses:	\$100,000
b.	Past and future lost wages and/or loss of earning capacity:	\$50,000
c.	Past and future physical pain and suffering:	\$200,000
d.	Past and future mental anguish, emotional distress, scaring, disability and loss of enjoyment of life.	<u>\$200,000</u>
	<b>TOTAL:</b>	<b>\$550,000</b>

IX.

Plaintiff is entitled to and hereby demands trial by jury with regard to all issues.

**WHEREFORE**, plaintiff prays that Keurig be cited and served with a copy of this Complaint compelling it to appear and answer same and, after all due proceedings, that judgment be entered in his favor against Keurig, *in solido*, for all relief itemized above, together with all costs of these proceedings, interest from the date of judicial demand and any and all other relief which may be available under the circumstances.

Respectfully submitted,

/s/ Scott. E. Silbert

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**PLEASE SERVE:**

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