

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT  
IN AND FOR LAKE COUNTY, FLORIDA

BRANDON CRUNK

Plaintiff,

Case No.:

v.

TOGA HOLDING CO., INC., a Florida Profit  
Corporation, and SARA-DORA TAVERN,  
INC., a Florida Profit Corporation,

**JURY TRIAL DEMANDED**

Defendants.

\_\_\_\_\_ /

**COMPLAINT**

The Plaintiff, BRANDON CRUNK (“CRUNK”), by and through the undersigned counsel, hereby sues Defendants, TOGA HOLDING CO., INC., a Florida Profit Corporation (“TOGA”), and SARA-DORA TAVERN, INC., a Florida Profit Corporation (“SARA-DORA”), for damages and states:

**PARTIES, JURISDICTION AND VENUE**

1. This is an action for damages in excess of Fifty Thousand Dollars (\$50,000.00) exclusive of interest and costs and is within the jurisdiction of this Court.
2. The incident giving rise to this Complaint occurred in Lake County, Florida, therefore venue is proper in this Court.
3. At all times material to this action, Plaintiff, CRUNK, was a resident of Lake County, Florida.
4. At all times material to this action, Defendant, TOGA, was and is a Florida Profit Corporation existing under the laws of the State of Florida with its principal place of business at 4060 North Highway 19-A, Mount Dora, Florida 32767.

5. At all times material to this action, Defendant, TOGA, owned, managed, controlled, possessed, and/or operated Big Dog Saloon, located at 4060 North Highway 19-A, Mount Dora, Florida 32767.

6. At all times material to this action, Defendant, SARA-DORA, was and is a Florida Profit Corporation existing under the laws of the State of Florida with its principal place of business at 4060 North Highway 19-A, Mount Dora, Florida 32767.

7. At all times material to this action, Defendant, SARA-DORA, owned, managed, controlled, possessed, and/or operated Big Dog Saloon, located at 4060 North Highway 19-A, Mount Dora, Florida 32767.

### **FACTUAL ALLEGATIONS**

8. On or about August 20, 2023, Plaintiff, CRUNK, was the owner of the subject 2021 Harley Davidson Softail Low Rider S, bearing Vehicle Identification Number 1HD1YWK14MB066095 and Florida License Plate number MSSD39.

9. On or about August 20, 2023, Jason Dean Bowlin (“Bowlin”) was a patron of Big Dog Saloon.

10. On or about August 20, 2023, Bowlin was served numerous alcoholic beverages while a patron at Big Dog Saloon.

11. At all times material to this action, Defendant, TOGA, its employees, agents, and/or representatives, knew that Bowlin was habitually addicted to the use of alcoholic beverages.

12. At all times material to this action, Defendant, SARA-DORA, its employees, agents, and/or representatives, knew that Bowlin was habitually addicted to the use of alcoholic beverages.

13. On or about August 20, 2023, at approximately 12:45 AM, CRUNK was driving a motorcycle westbound on CR 19-A.

14. On or about August 20, 2023, at approximately 12:45 AM, Bowlin was standing in the middle of the roadway at the intersection of Progress Blvd. and CR 19-A.

15. As a result of Bowlin standing in the middle of the roadway, CRUNK's vehicle struck Bowlin and CRUNK was ejected from the motorcycle.

16. At the time of the collision, Bowlin was under the influence of alcohol.

17. Bowlin was pronounced deceased at the scene.

18. As a direct and proximate result of TOGA serving alcohol to Bowlin, knowing that he was habitually addicted to the use of alcohol, CRUNK was severely injured in the collision caused by Bowlin.

19. As a direct and proximate result of SARA-DORA serving alcohol to Bowlin, knowing that he was habitually addicted to the use of alcohol, CRUNK was severely injured in the collision caused by Bowlin.

**COUNT I: VIOLATION OF FLORIDA STATUTE 768.125 AGAINST DEFENDANT  
TOGA HOLDING CO., INC.**

20. Plaintiff realleges paragraphs 1 through 19 as if fully set forth herein.

21. At all times material hereto, Defendant, TOGA, by and through its principals, employees, and/or agents, had a duty to exercise reasonable care in its sales and service of alcohol to its invitees.

22. On or about August 20, 2023, TOGA, by and through its principals, employees, and/or agents, breached its duty by knowingly serving alcoholic beverages to a person habitually addicted to the use of any or all alcoholic beverages in violation of Florida Statute 768.125.

23. Bowlin was habitually addicted to alcohol and/or was a habitual drunkard.

24. Defendant, TOGA, knew or should have known that Bowlin was habitually addicted to alcohol and/or was a habitual drunkard.

25. Defendant, TOGA, knowingly served alcoholic beverages to Bowlin.

26. As a direct and proximate result of the Defendant TOGA's violation of Florida Statute 768.125, by knowingly serving alcoholic beverages to a person habitually addicted to the use of any or all alcoholic beverages, CRUNK suffered bodily injury resulting in pain and suffering, disability, disfigurement, mental anguish, loss of capacity for the enjoyment of life, expense of hospitalization and medical and nursing care and treatment, aggravation or acceleration of preexisting injury, loss of earnings and loss of ability to earn money. The losses are either permanent or continuing and Plaintiff will suffer losses in the future.

WHEREFORE, the Plaintiff, BRANDON CRUNK, demands judgment against the Defendant, TOGA HOLDING CO., INC., for damages, costs of this action, and any such further relief this Court deems proper.

**COUNT II: VIOLATION OF FLORIDA STATUTE 768.125 AGAINST DEFENDANT  
SARA-DORA TAVERN, INC.**

27. Plaintiff realleges paragraphs 1 through 19 as if fully set forth herein.

28. At all times material hereto, Defendant, SARA-DORA, by and through its principals, employees, and/or agents, had a duty to exercise reasonable care in its sales and service of alcohol to its invitees.

29. On or about August 20, 2023, SARA-DORA, by and through its principals, employees, and/or agents, breached its duty by knowingly serving alcoholic beverages to a person habitually addicted to the use of any or all alcoholic beverages in violation of Florida Statute 768.125.

30. Bowlin was habitually addicted to alcohol and/or was a habitual drunkard.

31. Defendant, SARA-DORA, knew or should have known that Bowlin was habitually addicted to alcohol and/or was a habitual drunkard.

32. Defendant, SARA-DORA, knowingly served alcoholic beverages to Bowlin.

33. As a direct and proximate result of the Defendant SARA-DORA's violation of Florida Statute 768.125, by knowingly serving alcoholic beverages to a person habitually addicted to the use of any or all alcoholic beverages, CRUNK suffered bodily injury resulting in pain and suffering, disability, disfigurement, mental anguish, loss of capacity for the enjoyment of life, expense of hospitalization and medical and nursing care and treatment, aggravation or acceleration of preexisting injury, loss of earnings and loss of ability to earn money. The losses are either permanent or continuing and Plaintiff will suffer losses in the future.

WHEREFORE, the Plaintiff, BRANDON CRUNK, demands judgment against the Defendant, SARA-DORA TAVERN, INC., for damages, costs of this action, and any such further relief this Court deems proper.

**DEMAND FOR JURY TRIAL**

Respectfully, Plaintiff, BRANDON CRUNK, hereby demands a trial by jury on all issues so triable by right.

Respectfully submitted this 14th day of March 2024.

/s/ M. Jesse Stern, Esquire

**C. RICHARD NEWSOME, ESQ.**

Florida Bar No.: 827258

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