

VIRGINIA:

IN THE GENERAL DISTRICT COURT OF FREDERICK COUNTY

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FREDERICK-WASHINGTON
GENERAL DISTRICT COURT

COPY

STACEY HOFFMANN)

Plaintiff)

v.)

Case No. GV12-1471

EXTREME TAN, LLC)

Defendant)

BILL OF PARTICULARS

COME NOW, the Plaintiff, Stacey Hoffmann, by Counsel, and files this Bill of Particulars and respectfully represents to the Court the following:

1. On the afternoon of June 16, 2011 at approximately 4:30 p.m., the Plaintiff was spray tanned by the Defendant's employee, Brittany (hereinafter "Brittany"), with a spray tan solution;
2. Brittany was then employed by the Defendant and was performing her duties on behalf of the Defendant;
3. When Brittany finished spraying the solution on the Plaintiff's face and fully exposed body, she pulled a large fan within three (3) feet of the Plaintiff in order to dry her;
4. Because the Plaintiff was then on-call as a crisis counselor for the Intensive In-House Services Unit through the Virginia Department of Behavioral Health, the Plaintiff reached for her cell phone when it rang, unable to see at the time due to the wet spray on her eye lids placed there by Brittany;
5. In doing so, the Plaintiff grazed the fan blades with her right thumb, severely cutting the flesh of her right thumb tip, and ripping the thumb nail off of her thumb pad;
6. As a result, blood gushed from a cut in her thumb causing significant blood loss and vomiting in the spray tanning area by the Plaintiff;
7. This injury was caused by the unguarded fan's propelled blades and a failure to warn of this fact by Defendant's employee, Brittany;
8. As a direct and proximate cause of this incident by the Defendant, the Plaintiff has suffered significant and persistent injuries to her right thumb and thumb nail, which has required medical treatment and lost time from work due to her inability to write;

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9. On the day of the incident, the Plaintiff was transported to Inova Loudoun Hospital and treated by Dr. Michael Pulizzi who diagnosed the Plaintiff with a severe finger laceration;
10. After the incident, the owner of the Defendant, Andrea Armel, contacted the Plaintiff on her cell phone to apologize for her injuries and admit the negligence of her company;
11. At the time of her injuries, the Plaintiff was employed with Hoffmann and Lebeda Child & Family Services, as a clinical psychologist practicing in Leesburg and Winchester, Virginia;
12. The Plaintiff sustained medical injuries in the amount of Three Hundred Ninety-Three Dollars (\$393.00), and lost wages from June 17, 2011 through June 24, 2011, totaling Seventeen Thousand, Seven Hundred Twenty-Five Dollars (\$17,725.00);
13. The Defendant was liable for allowing an employee to operate a fan within three (3) feet of a customer without a front guard covering the blades, and without warning the Plaintiff in advance of this fact;
14. Brittany knew, or should have known, that without the front guard on the fan, this posed an extreme hazard to the Plaintiff;
15. It was foreseeable that a customer, whose vision was obscured by the spray solution administered by the Defendant's employee, would get injured by an exposed fan unit placed only feet away by that employee.

WHEREFORE, the Plaintiff, Stacey Hoffmann demands judgment against Extreme Tan, LLC, in the sum of Twenty-Five Thousand Dollars (\$25,000.00) for negligence and lost wages, and Ms. Hoffmann's costs herein expended, with interest from the date of injury pursuant to Virginia Code Section 8.01-382, as amended (1950), for attorney's fees and such other and further relief as this Court may deem just and proper.

Respectfully submitted,
STACEY HOFFMANN
By Counsel

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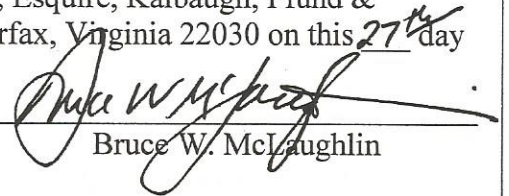
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing document was sent by facsimile and first-class mail, postage prepaid to Brandon S. Okes, Esquire, Kalbaugh, Pfund & Messermith, P.C., 4031 University Drive, Suite 300, Fairfax, Virginia 22030 on this 27th day of September 2012.



Bruce W. McLaughlin

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