

4. At all times relevant to this case, the Defendant P. Brocklin Parks was an agent for the Defendant Escobar & Parks, PLLC.

5. All the wrongs complained of herein occurred within this jurisdiction and within one (1) year preceding the filing of this Complaint.

6. In October, 2006, the Plaintiff Zarte Fowler employed the Defendant P. Brocklin Parks to represent him in a civil action against the Davidson County Metropolitan Government for injuries and damages sustained as a result of a slip and fall. Defendant P. Brocklin Parks accepted the employment and was to be compensated for services on a contingency basis.

7. By accepting employment to represent the Plaintiff, Defendant became obligated to possess and exercise the care, skill, and diligence of attorneys practicing in the areas of personal injury in this state.

8. In May, 2007, the Defendant P. Brocklin Parks failed to file a Complaint against the original Defendant Nashville Metropolitan Government.

9. Defendant P. Brocklin Parks failed to exercise the requisite skill, diligence, and care in that he failed to investigate this case, failed to notify the city of its negligence, and failed to file suit against the city within the one (1) year statute of limitations.

10. As a further result of the Defendant's negligence, Defendant failed to file suit on behalf of the Plaintiff's wife, Jecenia Fowler, for loss of consortium and all other possible claims which arose from the city's negligence.

11. As a result of the Defendant's failures, the Plaintiffs lost any right of recovery against the Nashville Metropolitan Government.

12. The Defendant P. Brocklin Parks was negligent in failing to protect and assert the Plaintiffs' rights and prosecute the Plaintiffs' actions as stated above. As a proximate result of that negligence, Plaintiffs have not been compensated for their injuries, losses, and expenses incurred as a result of the negligence of the Nashville Metropolitan Government and Plaintiffs have incurred and become liable for expenses.

13. Plaintiffs' claim against the Nashville Metropolitan Government was meritorious and Plaintiffs should have recovered had Defendant filed and prosecuted the action as he undertook to do.

14. The Defendant P. Brocklin Parks is liable to the Plaintiffs for legal malpractice.

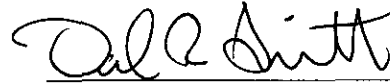
15. The Defendant Escobar & Parks, PLLC is liable to the Plaintiffs under the theories of *respondeat superior* and agency.

16. The actions of the Defendant, P. Brocklin Parks, as aforesaid, were performed recklessly with a conscious disregard for the repercussions upon the Plaintiffs. These actions constitute a substantial and unjustifiable risk of such a nature that its disregard constitutes a gross deviation from the standard of care that an ordinary person would exercise under all the circumstances.

WHEREFORE, PREMISES CONSIDERED, the Plaintiffs, Zarte and Jecenia Fowler, sue the Defendants herein, P. Brocklin Parks and Escobar & Parks, PLLC, severally and collectively, and demand judgment against them in the amount of five-hundred-thousand-dollars (\$500,000.00), and in addition punitive damages to be determined at trial, and such further relief, both specific and general, to which they may be entitled, under the premises.

A JURY OF 12 PERSONS IS RESPECTFULLY DEMANDED.

Respectfully submitted,



David R. Grimmett (BPR # 24454)
315 Deaderick Street
Suite 1210, Regions Center
Nashville, Tennessee 37238
(615) 256-4468

Attorney for the Plaintiffs
Zarte and Jecenia Fowler