

CAUSE NO. 20-DCV-270568

STEPHEN SCOTT KILGORE,  
INDIVIDUALLY AND A/N/F OF  
A.K., A MINOR

V.

GRAHAM P. COLLIER AND  
INGRID U. COLLIER

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IN THE DISTRICT COURT OF

FORT BEND COUNTY, TEXAS

Fort Bend County - 240th Judicial District Court  
\_\_\_\_\_ JUDICIAL DISTRICT

**PLAINTIFF'S ORIGINAL PETITION AND  
RULE 194 REQUESTS FOR DISCLOSURE**

TO THE HONORABLE JUDGE OF SAID COURT:

Plaintiff, **STEPHEN SCOTT KILGORE, Individually and a/n/f of A.K., a minor**, files this **ORIGINAL PETITION AND RULE 194 REQUESTS FOR DISCLOSURE**, and would respectively show unto the Court the following:

**I.**

**DISCOVERY LEVEL—II  
AND RULE 194 REQUESTS FOR DISCLOSURE**

Discovery and development of this case should occur pursuant to Rule 190.3, TEXAS RULES OF CIVIL PROCEDURE (“TRCP”), commonly referred to as Level 2.

Plaintiff respectfully demands disclosure of all information, documents and records pursuant to Rule 194.2(a) – (l) TRCP, commonly referred to as “REQUESTS FOR DISCLOSURE” as prescribed by the TRCP within fifty (50) days of service.

**II.**

**PARTIES**

Plaintiff, **STEPHEN SCOTT KILGORE, Individually and a/n/f of A.K., a minor**, is a resident of Richmond, Fort Bend County, Texas.



Defendants, **GRAHAM COLLIER** and **INGRID COLLIER** (“**COLLIERS**”),  
are Texas residents, and may be served in person at their home located at [REDACTED]  
[REDACTED]

### **III.**

#### **FACTS**

The **COLLIERS** had a party on their Fort Bend County property on December 22, 2019. The party included a fire in an open, unguarded pit.

An unsupervised minor party guest (identified as “I.F.”) poured an accelerant fuel onto the open fire, causing an explosion that severely injured **A.K.**

### **IV.**

#### **LIABILITY**

The **COLLIERS** are liable and accountable for the injuries and damages caused by and stemming from the occurrence in question by reason of their negligence in one or more of the following particulars:

- 1. Failing to protect A.K. from a dangerous activity on their premises;**
- 2. Failing to properly instruct, warn and supervise minors in and around a dangerous activity on their premises;**
- 3. Failing to secure flammable liquids from minors around an open fire on their premises; and**
- 4. Generally.**

Each of the forgoing, singularly or collectively, constituted negligence, which negligence was a proximate cause of the occurrence in question.



V.

**ACTUAL DAMAGES**

**STEPHEN SCOTT KILGORE** seeks compensation for all elements of damage allowed pursuant to Texas law, including but not limited to the reasonable value of **medical care**, both past (paid/incurred) and future until **A.K.** reaches the age of majority, is emancipated, or otherwise is entitled to recover in her individual capacity.

**STEPHEN SCOTT KILGORE**, as next friend of **A.K.**, a minor, seeks compensation for all elements of damage allowed pursuant to Texas law, including but not limited to reasonable value of **medical care** after **A.K.** reaches the age of majority, is emancipated, or otherwise is entitled to recover in her individual capacity; **lost earning capacity**, both past and future; **physical pain and mental anguish**, both past and future; **physical disfigurement**, both past and future; and **physical impairment**, both past and future.

**Actual damages are within the jurisdictional limits of this Court.**

**Pursuant to pleading requirements of Rule 47(c) Plaintiff seeks monetary relief in excess of \$1,000,000 as of the filing of this suit.**

VI.

**JURY DEMAND**

**STEPHEN SCOTT KILGORE** respectfully demands a jury.

VII.

**PRE-JUDGMENT AND POST JUDGMENT INTEREST**

**STEPHEN SCOTT KILGORE** seeks pre-judgment and post-judgment interest.



**WHEREFORE, PREMISES CONSIDERED, STEPHEN SCOTT KILGORE, Individually and a/n/f of A.K., a minor** prays Defendants be Cited and required to Answer and appear herein, and that upon a Trial on the merits, Judgment be entered in favor of Plaintiff awarding actual damages, pre-judgment and post-judgment interest, and taxable costs.

Plaintiff further prays for any and all further relief, both general and special, at law or in equity, to which he may show he and his minor daughter are justly entitled.

Respectfully submitted,

**THE WEST LAW FIRM**

***S. Scott West***

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