

House of Representatives State of Tennessee



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BAR IS CIVILLY NEGLIGENT

COLLINS v ARNOLD, 2007 Tenn App Lexis 217

Here's a nice tidbit to share with the local bar owners. A twenty one year old patron at Denim and Diamonds Bar in Davidson County got into a scuffle on a six dollar longneck night. Patrons could drink all the longnecks they wanted from 6:00 to 11:00 pm for six dollars. Mr. Arnold, who had also consumed xanax, would later crash and die with a .11 BAC. Plaintiff Collins was severely injured and sued the estate, the bar and the security firm at the bar.

The bar manager had called Arnold a taxi. A security guard escorted him to his car, so that he could remove items he needed. Arnold shoved the guard to the ground and nearly ran over the guard as he drove away. The police were not called.

The Court of Appeals affirmed the jury finding of negligence and state, "the jury could have found the following acts or omissions as falling below the standard of reasonable care and contributing to the accident: the failure to require that more than one security officer escort him to his care; the failure to advise the security officer of all the circumstances; and the failure to notify the police that an impaired and potentially dangerous driver had left the parking lot."