

IN THE COURT OF DALLAS COUNTY OF DALLAS, TEXAS

CIVIL DIVISION

PLAINTIFF'S ORIGINAL PETITION

WHITNEY LARKINS,

CC-15-06094-C

Civil Action

Plaintiff &

Case No.: _____

Private Attorney General

(As Per Federal Trade Commission Regulations)

v.

DAVE FREE,

Defendant, individually

The aforementioned defendant Dave Free is being sued individually.

c/o Interscope Records

2220 Colorado Avenue

Santa Monica, CA 90404

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COMPLAINT

Preliminary Statement

1. This action is hereby filed in the Court of Dallas County, Dallas, Texas by Pro Se Litigant and Plaintiff Whitney Larkins on behalf of herself and also acting in capacity as a Private Attorney General as permitted by law by the Federal Trade Commission (FTC). Plaintiff seeks relief in excess of \$1,000,000 for Defendant's extortion, skullduggery, deceptive business practices, underhanded dealings and other illegal, unethical, unconscionable and immoral activity. There are many laws that were broken and the Defendant's shady behavior should be punished!!! It's time for someone to put Dave Free on blast!
2. The Defendant used a number of different methods in his laughable attempt to get \$10,000 in cash in exchange for meeting Grammy-nominated musician Kendrick Lamar before a concert that was to be held on Thursday, October 29, 2015 at Gilley's.
3. As a direct and proximate result of Defendant's illegal, immoral, unethical, shady and downright DIRTY dealings, the Plaintiff in the above-styled action has been subjected to substantial pain and suffering, emotional distress, humiliation, immense disappointment and heartache since she loves Kendrick Lamar and recognizes him as having a rare talent in the hip-hop game which is on par with music icon/revolutionary Tupac A. Shakur. The Defendant is the reason why the Plaintiff was unable to meet Kendrick Lamar whom she holds in the highest regard due to his talent and genuine love for common people.
4. The named Plaintiff Whitney Larkins, seeks compensatory damages and any other remedies allowable by the Court of Law and/or as a result of settlement out of court.

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JURISDICTION

5. This court has Jurisdiction over this case as the cause of action is in Dallas, TX.
6. Venue is proper in this court as the aforementioned actions and concert venue was in Dallas, TX and within Dallas County.
7. Finally, the aforementioned acts, which collectively constitute the cause of this litigation in general, and this claim in particular occurred in this County.

PARTIES

8. Plaintiff herein (herein after also referred to as "Plaintiff") is:
 - A. Whitney Larkins, a natural person of the full age of majority, and having a place of residency at 455 E. FM 1382 Cedar Hill, TX 75104 in Dallas County in Dallas, TX.
9. Defendant Dave Free is currently the manager and so-called friend of artist Kendrick Lamar.

FACTUAL BACKGROUND & ALLEGATIONS

Allegations of Plaintiff Whitney Larkins:

10. Plaintiff Whitney Larkins purchased a VIP Meet & Greet ticket on Wednesday, October 14, 2015 via internet via Ticketfly for \$350.00. The instructions explicitly said that Plaintiff would get further information at least one (1) week prior to the event.
11. On Thursday, October 15, 2015 at 11:00 a.m. Plaintiff sent email to Defendant Dave Free letting him know that a VIP Meet & Greet ticket was purchased and also requested an opportunity to chat with Kendrick for no longer than three (3) minutes in addition to what was provided for in the VIP Meet & Greet ticket package.

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12. Defendant responded to Plaintiff on Saturday, October 24, 2015 at 5:45 p.m. saying that he would talk to the President of Top Dawg Entertainment (TDE) about it but did not reveal that in fact HE is the President of TDE!!!
13. Plaintiff sent a follow up email to Defendant on Monday, October 26, 2015 since there was no response. Plaintiff mentioned in the follow up email that she would be willing to sign a non-disclosure agreement which would guarantee privacy and would forward questions ahead of time to Kendrick Lamar's management team.
14. Defendant responded on Monday, October 26, 2015 at 9:00 a.m. saying that the meeting that Plaintiff requested would require an immediate, all cash payment of \$10,000 in order to meet Kendrick Lamar (for presumably considerably less than three minutes).
Meanwhile, the promoter, CID Entertainment failed to provide further instructions to Plaintiff on the VIP Meet & Greet for the concert scheduled three days later on Thursday, October 29, 2015 as the ticket was already paid for.
15. Plaintiff responded to Defendant's email on Monday, October 26, 2015 just 30 minutes after he sent it and politely asked for him not to disclose the total number of VIP Meet & Greets sold but to give her an idea if perhaps there would be sufficient time for her to meet Kendrick Lamar at all given what appeared to be a busy schedule and the potential for hundreds of other fans who were also trying to meet him prior to the show. Defendant did not respond.
16. Plaintiff received email from promoter, on Tuesday, October 27, 2015 at 5:47 p.m. EST which is 13 minutes before they closed their office at their usual closing time saying that



Plaintiff would receive her VIP Meet & Greet details at least one (1) day prior to the event.

Plaintiff sent an email three minutes later directly to CID Entertainment Guest Services and CC the Defendant asking for the information regarding the original VIP Meet & Greet details given that she would need to clear her calendar to be able to meet Kendrick Lamar.

17. Plaintiff still did not receive a response from Defendant and thus sent email on

Wednesday, October 28, 2015 at 5:00 p.m. (CST) which was the night before the show.

The promoter also failed to send the information as they had promised but the Defendant was the one who was orchestrating the entire event.

18. Plaintiff received an email from Edgar Moreno of TDE at 6:00 p.m. (CST) saying that

Plaintiff would not receive the details of the Meet & Greet until **two hours** before the show. This was upsetting because this did not give Plaintiff any indication if the Meet & Greet was really going to happen or not and it seemed the Defendant was anxious to get \$10,000 cash to meet Kendrick Lamar. There is no logical explanation why the Plaintiff was strung along until the proverbial 11th hour to find out if she could meet Kendrick Lamar or not!!!

19. Plaintiff and Defendant exchanged emails the night before the concert and Defendant

banned Plaintiff from the show and prevented her from meeting Kendrick Lamar. This was highly disappointing and upsetting and despite making several pleas to Defendant he refused to bury the hatchet. Plaintiff posted several tweets and twitpics showing screenshots and calling attention to the fraudulent, immoral, unethical and shady dealings of Defendant. (Twitter handle is @whitneynoire)

20. Although the money for the VIP Meet & Greet Ticket of \$350.00 was EVENTUALLY refunded, Plaintiff continues to suffer from deep sadness for not meeting one of the greatest rappers alive of all time who is on par with Tupac. The Defendant is notorious for rude, crass, obnoxious and possibly illegal activity and it is time for him to be called out for preventing Kendrick Lamar's fan from meeting him. Defendant is arrogant, snotty and an all-around bad dude from the rooter to the tooter!

LEGAL CLAIMS

COUNT 1

Named Plaintiff Whitney Larkins pursuant to all laws implied and expressed directly in consumer contracts and as stated by the guidelines, regulations and laws of the Federal Trade Commission (FTC)

21. Plaintiff hereby incorporates by reference paragraphs 1-20 of this Complaint.
22. Defendant Dave Free has acted in illegal, unethical, immoral, unconscionable and shady dealings possibly in tandem with the promoter in order to receive \$10,000 cash from Plaintiff for a chance to meet artist Kendrick Lamar.
23. Defendant has by the above described actions/inactions harmed the named Plaintiff and as a result Plaintiff has and continues to suffer greatly emotionally since she missed her only opportunity to meet one of the greatest rappers alive since Tupac A. Shakur.
24. The aforementioned acts by the Defendant are illegal as defined by the Consumer Fraud Acts, Clauses of Unconscionability and Failure to Perform Acts as outlined by the Federal Trade Commission (FTC) and other implied and explicit consumer protection clauses.

RELIEF

WHEREFORE, the named Plaintiff Whitney Larkins seeks and respectfully requests that the Court:

- A. Award named Plaintiff Larkins all damages allowable by the Court of Law against said Defendant Dave Free
- B. Award such other and further relief as this Court may deem appropriate and just in the interest of justice and morality.

WHEREFORE, petitioner prays that Defendant Dave Free be served with a copy of this petition and be duly cited to appear and answer same, and that after the due proceeds had, there to be judgment herein in favor of Plaintiff, Whitney Larkins and against aforementioned Defendant, for damages that are reasonable in the premises, together with interest therein from the date of judicial demand until paid, and for all costs of these proceedings.

PETITIONER FINALLY PRAYS judicial interest from the date of demand and **time is of the essence!!!**

-END-

Respectfully Submitted,

Whitney Larkins

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