

STATE OF MICHIGAN JUDICIAL DISTRICT 36th JUDICIAL CIRCUIT	SUMMONS AND COMPLAINT	NO CASE NO.
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Court address: Courthouse, Paw Paw, MI 49079
 Court telephone no.: 616-657-5581

Plaintiff name(s), address(es) and telephone no(s).
 Richard Overton
 45282 M-51
 Decatur, MI 49045
 616-423-8707

Defendant name(s), address(es) and telephone no(s).
 Anheuser-Busch Company
 1 Busch Place
 St. Louis, MO 63118

Plaintiff attorney, bar no., address and telephone no.
 In Pro Per

NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. YOU HAVE 21 DAYS after receiving this summons to file an answer or to take other lawful action (28 days if you were served by mail or you were served outside this state).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.

Issued	This summons expires	Court clerk
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*This summons is invalid unless served on or before its expiration date.

There is no other civil action between these parties arising out of the same transaction or occurrence as alleged in this complaint pending in this court, nor has any such action been previously filed and dismissed or transferred after having been assigned to a judge.

There is now on file in this court a civil action between these parties arising out of the same transaction or occurrence as alleged in the complaint. The action is pending was dismissed was transferred. The case number and assigned judge are:

Case no.	Judge	Bar no.
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VENUE	
Plaintiff(s) residence Van Buren County, MI	Defendant(s) residence St. Louis, MO
Place where action arose or business conducted Van Buren County, MI	

I declare that the complaint information above and attached is true to the best of my information, knowledge, and belief.

Date: 6/6/91

Richard M. Overton
Plaintiff

COMPLAINT IS STATED ON ATTACHED PAGES. EXHIBITS ARE ATTACHED IF REQUIRED BY COURT RULE.

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF VAN BUREN

RICHARD OVERTON,

Plaintiff,

v

Case No. 91-35-759- No-B

ANHEUSER-BUSCH COMPANY, a Missouri
corporation,

Defendant(s).

Richard Overton
In Pro Per
45282 M-51
Decatur, MI 49045
(616) 423-8707

COUNT I

COMPLAINT FOR DECLARATORY JUDGMENT

NOW COMES Plaintiff, Richard Overton, making this complaint against Defendant Anheuser-Busch Company and alleging as follows:

1. That Plaintiff is a lifelong resident of the State of Michigan, County of Van Buren.
2. That Defendant Anheuser-Busch Company is a corporation incorporated under the laws of the State of Missouri doing business in the State of Michigan as a manufacturer and seller of intoxicating beverages, namely beer and malt liquor.
3. That Defendant Anheuser-Busch Company advertises its products extensively throughout the State of Michigan via newspaper, television, radio, magazine, and billboard media.
4. That Defendant Anheuser-Busch Company knowingly makes, publishes, disseminates, circulates, and places before the public

advertisements which contains statements and/or representations which are untrue, deceptive, and/or misleading.

5. That Defendant Anheuser-Busch Company has failed and continues to fail to reveal facts which are material in light of the representations made or suggested in a positive manner.

6. That as a result of Defendant's deceptive and/or misleading advertisements Plaintiff, and the public at large, have been, and continue to be, led to purchase and consume products which Defendant knows, or has reason to know, are inherently dangerous and likely to cause serious health problems, temporary and/or permanent impairment to the consumers' mental abilities, serious addictions, and possibly death.

7. That the Plaintiff has served and/or caused to be served on the Attorney General of the State of Michigan and the Prosecuting Attorney for the County of Van Buren, notice of these violations of MCL 445.351 et seq. as required by statute (MCL 445.360) and both have failed to initiate action within 60 days after receiving said notice.

8. That an example of such misleading advertisement is the promotional television advertisements with regard to Defendant Anheuser-Busch Company's Bud Light product which features a series of scenarios using a beer truck and two young men. The truck, and deductively Bud Light, are shown to be the source of fantasies coming to life, involving otherwise impossible manifestations of scenic tropical settings, beautiful women and men engaged in endless and unrestricted merriment. In one beach setting commercial, an individual is seen "launching" off a slide and into a somersault. This action alone could result in serious injury by an individual not thoroughly

trained in such actions, and most certainly should never be attempted by someone consuming Bud Light. To represent such actions are possible is grossly misleading of the true nature of the product being promoted.

WHEREFORE, Plaintiff prays that this Honorable Court issue a declaratory judgment finding Defendant Anheuser-Busch Company in violation of MCL 445.351 et seq.

COUNT II

COMPLAINT FOR DAMAGES

9. That Plaintiff incorporates by reference and realleges the allegations contained in paragraphs 1 through 8 above as though fully set forth herein.

10. That Defendant Anheuser-Busch Company advertises its beer products with full knowledge of the dangers inherent in the consumption of said products and yet refuses and/or fails to warn of these dangers, to wit:

- a. The possibility and/or probability of onset of blurred vision.
- b. The possibility and/or probability of onset of impaired motor skills.
- c. The possibility and/or probability of onset of nausea, vomiting, headaches, emotional swings, depression.
- d. The possibility of addiction.

11. That Plaintiff and the public at large have suffered, are suffering, and will continue to suffer irreparable injury to their health, damages and/or loss unless Defendant Anheuser-Busch Company is restrained from continuing its false and misleading advertisements and

required to provide adequate warnings of the dangers inherent in the use of Defendant's products, as required by MCL 445.356(1) and (3).

WHEREFORE, Plaintiff prays that this Honorable Court permanently enjoin Defendant Anheuser-Busch Company from making, publishing, disseminating, circulating, and placing before the public, advertisements which contain statements and/or misrepresentations which are false, deceptive, and/or misleading; and that this Honorable Court enjoin Defendant Anheuser-Busch Company from any advertising of its products unless such advertising contains adequate warning of the inherent dangers associated with the consumption of its products.

COUNT III

CLAIM FOR DAMAGES

12. That Plaintiff incorporates by reference and realleges the allegations contained in paragraphs 1 through 11 above as though fully set forth herein.

13. That as a result of Defendant's deliberate and willful misrepresentations and/or false advertising, Plaintiff has been damaged, suffered personal injury to his health both physical and mental, emotional distress, and financial loss in excess of \$10,000.

WHEREFORE, Plaintiff prays that this Honorable Court award the Plaintiff his actual damages or \$250 for each day for which violations of MCL 445.360 are found, whichever is greater, together with costs and attorney fees as allowed by statute.

DATED: 6-6-91

TRUE COPY

JUN - 6 1991

Shirley K. Jackson
Van Buren County Clerk

Richard M. Overton

By: Richard Overton
45282 M-51
Decatur, MI 49045
(616) 423-8707