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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF DESCHUTES

ALLISON HICKEY

Plaintiff,

vs.

SISTERS RODEO ASSOCIATION, a domestic nonprofit corporation, **COREY & LANGE RODEO CO.**, a foreign business corporation, and **FLYING DIAMOND RODEO, LLC**, a foreign limited liability company,

Defendants.

Case No.

COMPLAINT

(Personal Injury – for claim up to **\$9,250,606.01**)

Filing Fee: \$884 (ORS 21.160(1)(d))

CLAIM NOT SUBJECT TO MANDATORY ARBITRATION

DEMAND FOR JURY TRIAL

ALLISON HICKEY (“ALLISON HICKEY”) alleges:

GENERAL ALLEGATIONS COMMON TO ALL CLAIMS BELOW

1.

Due to the amount prayed for herein this claim is not subject to mandatory arbitration.

2.

ALLISON HICKEY brings this action against: Sisters Rodeo Association (“Defendant Sisters Rodeo”), Corey & Lange Rodeo Co. (“Defendant Corey & Lange”) and Flying Diamond Rodeo, LLC (“Defendant Flying Diamond”), hereinafter collectively referred to as “Defendants”, for personal injuries caused by Defendants in Deschutes County, Oregon.

3.

At all times material, Defendant Sisters Rodeo was a domestic nonprofit corporation, duly authorized to transact business in the State of Oregon, conducting a substantial portion of its

1 business in Oregon, including the regular and sustained business activity as a rodeo entertainment
2 company in Deschutes County, Oregon.

3 **4.**

4 At all times material, Defendant Corey & Lange was a foreign business corporation, duly
5 authorized to transact business for profit in the State of Oregon, conducting business for profit in
6 Oregon, including as the stock contractor of livestock provided for use and entertainment at the
7 Sisters Rodeo in Deschutes County, Oregon.

8 **5.**

9 Upon information and belief, at all times material, Defendant Flying Diamond was a
10 foreign limited liability company, duly authorized to transact business for profit in the State of
11 Oregon, conducting business for profit in Oregon, including as the owner and stock contractor of
12 livestock provided for use and entertainment at the Sisters Rodeo in Deschutes County, Oregon.

13 **6.**

14 At all times material, Defendants had employees, agents, managers, owners, members,
15 independent contractors, or others (collectively “employees or agents”) within Defendants’
16 respective control or right of control. At all times material, said persons were acting within the
17 course and scope of their respective employment, agency, managerial capacity, contract, and/or
18 duties. All acts and omissions attributed to Defendants as alleged below were performed or omitted
19 by Defendants or otherwise by and through said respective employees or agents, for which
20 Defendants are, respectively, vicariously liable.

21 **7.**

22 At all times material, Defendants had exclusive control or right of control over the Sisters
23 Rodeo property (“the Property”), in Sisters, Oregon, where the annual “Sisters Rodeo” is held. At
24 all times material, the Property was open to and used by Defendants’ customers, including
25 ALLISON HICKEY.

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8.

Upon information and belief, at all times material Defendant Sisters Rodeo hired Defendant Corey & Lange and/or Defendant Flying Diamond to provide livestock for entertainment use at Sisters Rodeo, including a bull known as “Party Bus.”

9.

On or about June 8, 2024, ALLISON HICKEY was a paid spectator of the Sisters Rodeo, in attendance with the sold-out crowd of spectators.

10.

At all times material, there existed a central dirt arena, where livestock and rodeo contestants would perform in front of the Sisters Rodeo spectators. At all times material, Defendants knew livestock, including Party Bus, performed in close proximity to designated public walkways and seating areas adjacent to the arena.

11.

At all times material, Defendants knew or should have known that – at no time, whatsoever, or for whatever reason – should Party Bus have any physical contact with spectators in the crowd at the Sisters Rodeo.

12.

On or about June 8, 2024, as ALLISON HICKEY was passing by the exterior fencing of the central arena along a spectator pathway intended for public use, suddenly without any warning, Party Bus jumped over the fence, into the crowd of spectators, and landed on top of ALLISON HICKEY. The impact and weight of the bull knocked her to the ground and crushed her right shoulder and right calf (“the incident” or “said incident”). Said incident caused ALLISON HICKEY’s injuries and damages as alleged herein, all of which were reasonably foreseeable.

13.

At all times material, the area where the bull Party Bus jumped the exterior fence of the

1 central arena was located at a natural, provided, and intended area for travel by spectators on the
2 Property.

3 **14.**

4 Despite being on notice that ALLISON HICKEY, among others, was injured by Party
5 Bus at the 2024 Sisters Rodeo, Defendant Sisters Rodeo has since claimed that the publicity of
6 the incident involving ALLISON HICKEY was good for the Sisters Rodeo and has since
7 monetized the incident involving ALLISON HICKEY, including the marketing, advertising, and
8 sales of merchandise portraying the incident involving ALISON HICKEY. Defendant Sisters
9 Rodeo's marketing, advertising, and profiting from this incident has caused ALLISON HICKEY
10 to sustain additional and ongoing trauma, embarrassment, and mental anguish.

11 **15.**

12 Said incident caused ALLISON HICKEY to sustain the following injuries and
13 noneconomic damages, some of which may be permanent, and all of which were reasonably
14 foreseeable:

- 15 (a) Damage to the muscles, ligaments, tendons, nerves, and other soft tissue of the
16 right arm, right shoulder, and legs;
- 17 (b) 4-part proximal right humerus fracture with displacement and intro-articular
18 extension, necessitating open reduction internal fixation surgery using
19 approximately 10 screws and a fixed plate;
- 20 (c) A second surgery for subsequent hardware removal;
- 21 (d) Keloid scar on right shoulder;
- 22 (e) Permanent loss of range of motion in right shoulder;
- 23 (f) Right leg crush injury causing hematoma, contusions, and abrasions;
- 24 (g) Right calf traumatic venous insufficiency with enlarged great saphenous vein,
25 pathologic reflux and incompetent tributary veins;

- 1 (h) Formation of masses/lumps in right calf;
2 (i) Post-Traumatic Stress Disorder;
3 (j) Discomfort, embarrassment, mental anguish, pain, and suffering; and
4 (k) Inconvenience and interference with usual and everyday activities, apart from
5 gainful employment.

6 All to ALLISON HICKEY's noneconomic damage in an amount determined by the jury to be
7 fair and reasonable, but not to exceed the sum of **\$8,000,000.00**.

8 **16.**

9 At the time of the incident, ALLISON HICKEY was a 26-year-old physical therapist,
10 employed full-time and actively building her professional career. She had recently obtained her
11 doctorate in physical therapy in 2023 from Regis University and was in the early stages of
12 establishing her expertise, patient base, and earning potential in the field of physical therapy. As
13 a result of the incident and injuries sustained, ALLISON HICKEY's career trajectory and future
14 earnings were directly and substantially impacted.

15 **17.**

16 Said incident caused ALLISON HICKEY to sustain the following economic damages,
17 all of which were reasonably foreseeable:

- 18 a. Reasonable and necessary medical expenses to date in the approximate sum of
19 **\$107,403.03**;
20 b. Reasonable and necessary future medical expenses in the approximate sum of
21 **\$100,000.00**; and
22 c. Past and future impairment of earning capacity in an amount to be determined at
23 the time of trial, but for the purpose of ORCP 18, estimated to be **\$1,043,202.98**.

24 All to ALLISON HICKEY's economic damages in the sum of **\$1,250,606.01**.

25 ///

1 **FIRST CLAIM FOR RELIEF**

2 **(Strict Liability)**

3 **18.**

4 ALLISON HICKEY realleges paragraphs 1 through 17 as though set forth fully herein.

5 **19.**

6 At all times material Party Bus was in Defendants' possession.

7 **20.**

8 At all times material, Party Bus had dangerous propensities abnormal to its class.

9 **21.**

10 At all times material, Defendants knew or should have known of Party Bus's dangerous
11 propensities abnormal to its class.

12 **22.**

13 Party Bus's dangerous propensities abnormal to its class caused ALLISON HICKEY's
14 injuries and damages as alleged in Paragraphs 15 and 17 above, which are realleged and
15 incorporated by reference herein, for which Defendants are strictly liable.

16 **SECOND CLAIM FOR RELIEF**

17 **(Premises Liability)**

18 **23.**

19 ALLISON HICKEY realleges paragraphs 1 through 22 as though set forth fully herein.

20 **24.**

21 ALLISON HICKEY purchased a ticket to the Sisters Rodeo and attended the Sisters
22 Rodeo at Defendants' invitation and for Defendants' business purposes. ALLISON HICKEY
23 was therefore an invitee of the Defendants.

24 **25.**

25 At all times material, Defendants had a duty to inspect and make the rodeo property

1 reasonably safe for invitees, including ALLISON HICKEY, and to take reasonable steps to
2 protect spectators from the risks posed by rodeo livestock performing in close proximity to
3 designated public walkways and seating areas adjacent to the central arena.

4 **26.**

5 At all times material, Defendants had a duty to ensure that the fence encircling the central
6 arena was reasonably safe and effective in order to prevent the escape of livestock into the
7 surrounding crowd, and to keep the premises reasonably safe for its invitees, including
8 ALLISON HICKEY.

9 **27.**

10 At all times material, Defendants knew or should have known that portions of the exterior
11 fence of the central arena were effectively low enough to allow Party Bus to jump over the fence
12 and escape the arena into the crowd of spectators.

13 **28.**

14 Upon information and belief, Defendants were at fault in one or more of the following
15 particulars, each of which created a foreseeable and unreasonable risk of injury to ALLISON
16 HICKEY:

- 17 a. In failing to properly design, construct, inspect, maintain, and/or remediate the
18 arena and its perimeter, including allowing soil to accumulate along the exterior
19 fence and thereby reducing its effective height;
- 20 b. In failing to provide and maintain arena fencing of sufficient height, strength, and
21 configuration to contain bulls within the arena under reasonably foreseeable
22 conditions;
- 23 c. In failing to implement reasonable secondary containment or protective measures,
24 including barriers or setback distances, to protect spectators in the event livestock
25 breached the primary fence;

- 1 d. In failing to recognize, anticipate, and guard against the foreseeable risk that a
2 bull could breach or clear the arena fence;
- 3 e. In failing to design, control, and maintain spectator areas and pathways so as to
4 keep patrons a safe distance from the arena perimeter and areas of increased risk;
- 5 f. In failing to implement reasonable crowd-control, warning, and protective
6 measures in areas adjacent to the arena fence where the risk to spectators was
7 increased;
- 8 g. In failing to adopt, implement, and enforce adequate policies, procedures,
9 training, and supervision regarding arena inspection, maintenance, livestock
10 containment, and spectator safety, including response procedures in the event of
11 escaped livestock;
- 12 h. In failing to comply with applicable industry standards, customs, and governing
13 rules, including those of the Professional Rodeo Cowboys Association (PRCA),
14 relating to arena safety, fencing, and spectator protection;
- 15 i. In the selection, preparation, handling, and/or use of livestock under
16 circumstances that created an unreasonable risk of harm to spectators;
- 17 j. In otherwise failing to exercise reasonable care to protect spectators from the
18 foreseeable risk of injury posed by rodeo livestock escaping the arena.

19 **29.**

20 At all times material, Defendants knew, or in the exercise of reasonable care should have
21 known, that the acts or omissions in Paragraph 28 above created an unreasonable risk of harm to
22 its invitees, including ALLISON HICKEY.

23 **30.**

24 At all times material, Defendants knew, or in the exercise of reasonable care should have
25 known, that the acts or omissions in Paragraph 28 above created an unreasonably dangerous

1 condition that could not be encountered with reasonable safety by persons similarly situated to
2 ALLISON HICKEY, even if the danger was known or appreciated.

3 **31.**

4 The manner in which ALLISON HICKEY walked along the spectator pathway was
5 normal and reasonably foreseeable.

6 **32.**

7 At all times material, it was reasonably foreseeable to Defendants that due to the
8 effective height of the exterior fence of the central arena and the proximity of public walkways
9 to that fence, invitees such as ALLISON HICKEY would encounter escaped rodeo livestock if
10 said livestock jumped over the effectively shortened fence.

11 **33.**

12 As a result of Defendants' fault, ALLISON HICKEY sustained the injuries and damages
13 as alleged in Paragraphs 15 and 17 above, which are realleged and incorporated by reference
14 herein.

15 **THIRD CLAIM FOR RELIEF**

16 **(Negligence)**

17 **34.**

18 ALLISON HICKEY re-alleges and incorporates by reference herein Paragraphs 1 through
19 33 above.

20 **35.**

21 Upon information and belief, Defendants were negligent in one or more of the following
22 particulars, each of which was a failure to use reasonable care, and each of which created a
23 foreseeable and unreasonable risk of injury to ALLISON HICKEY:

- 24 a. In failing to properly design, construct, inspect, maintain, and/or remediate the
25 arena and its perimeter, including allowing soil to accumulate along the exterior

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- fence and thereby reducing its effective height;
- b. In failing to provide and maintain arena fencing of sufficient height, strength, and configuration to contain bulls within the arena under reasonably foreseeable conditions;
- c. In failing to implement reasonable secondary containment or protective measures, including barriers or setback distances, to protect spectators in the event livestock breached the primary fence;
- d. In failing to recognize, anticipate, and guard against the foreseeable risk that a bull could breach or clear the arena fence;
- e. In failing to design, control, and maintain spectator areas and pathways so as to keep patrons a safe distance from the arena perimeter and areas of increased risk;
- f. In failing to implement reasonable crowd-control, warning, and protective measures in areas adjacent to the arena fence where the risk to spectators was increased;
- g. In failing to adopt, implement, and enforce adequate policies, procedures, training, and supervision regarding arena inspection, maintenance, livestock containment, and spectator safety, including response procedures in the event of escaped livestock;
- h. In failing to comply with applicable industry standards, customs, and governing rules, including those of the Professional Rodeo Cowboys Association (PRCA), relating to arena safety, fencing, and spectator protection;
- i. In the selection, preparation, handling, and/or use of livestock under circumstances that created an unreasonable risk of harm to spectators;
- j. In otherwise failing to exercise reasonable care to protect spectators from the foreseeable risk of injury posed by rodeo livestock escaping the arena.

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36.

Defendants' negligence caused ALLISON HICKEY to sustain the injuries and damages as alleged in Paragraphs 15 and 17 above, which are re-alleged and incorporated by reference herein, and all of which were reasonably foreseeable.

NOTICE OF INTENT TO AMEND FOR
PUNITIVE DAMAGES AGAINST DEFENDANTS

37.

At all times material, Defendants acted with a reckless and outrageous indifference to a highly unreasonable risk of harm in one or more ways as alleged in Paragraphs 9-14, 23-32, and 35 above each of which was performed with a conscious indifference to the health, safety, and welfare of others. Based on said acts, ALLISON HICKEY gives notice of her intent to move the court to amend this complaint to allege punitive damages against Defendants pursuant to ORS 31.725.

WHEREFORE, ALLISON HICKEY prays for judgment against Defendants for noneconomic damage in an amount determined by the jury to be fair and reasonable, but not to exceed the sum of **\$8,000,000.00**, for economic damage in an amount determined by the jury to be fair and reasonable, but not to exceed the sum of **\$1,250,606.01** for her costs and disbursements incurred herein, and for any other relief the Court deems appropriate.

Dated: April 13, 2026

HIGH DESERT LAW



By: _____
Philip Kirk, OSB No. 224346
David Rosen OSB No. 101952
Of Attorneys for
ALLISON HICKEY
Trial Attorney: Same