

NOT ORIGINAL

DOCUMENT

06/19/2026 03:06:24

PM

COMMONWEALTH OF KENTUCKY  
KENTON CIRCUIT COURT  
DIVISION \_\_\_\_\_  
CASE NO. \_\_\_\_\_

MEDIA5040

**SHERYL ZOLLARS**

**PLAINTIFF**

v.

**MADISON THEATER PRESENTS, LLC,  
D/B/A MADISON THEATER**

**DEFENDANTS**

**SERVE: Frank Hulefeld, Registered Agent  
7 Otter Drive  
Covington, KY 41017  
VIA: Certified Mail, Return Receipt Requested**

and

**ENC PROPERTIES, LLC**

**SERVE: L. Esther Johnson, Registered Agent  
5556 Pleasant Hill Rd.  
Taylor Mill, KY 41015  
VIA: Certified Mail, Return Receipt Requested**

---

**COMPLAINT WITH JURY DEMAND**

---

Comes Plaintiff, Sheryl Zollars, by and through counsel, and for her Complaint, states as follows:

1. That the Plaintiff, Sheryl Zollars (hereinafter "Plaintiff"), is now and at all times mentioned herein was a citizen and resident of Boone County, Kentucky.

2. That the Defendant, Madison Theater Presents, LLC, d/b/a Madison Theater, is now and at all times mentioned herein was licensed to transact business in the Commonwealth of

NOT ORIGINAL

DOCUMENT

06/19/2026 03:06:24

PM

Kentucky and, in fact, was transacting business in Kenton County in the Commonwealth of Kentucky.

MEDIA5040

3. That, by virtue of a Special Warranty Deed recorded on August 21, 2014, the Defendant, ENC Properties, LLC is now and at all times mentioned herein was the owner of a parcel of land located at 730 Madison Avenue, Covington, Kentucky.

4. That jurisdiction and venue in this Court are proper because the accident in question and all facts forming the basis of this Complaint occurred in Kenton County, Kentucky, and the amount in controversy exceeds the minimum jurisdictional amount of this Court.

5. That on or about November 1, 2024, Plaintiff was a business patron in the premises located at 730 Madison Avenue, Covington, Kenton County, Kentucky, which was owned by ENC Properties, LLC and operated by Madison Theater Presents, LLC (hereinafter collectively referred to as "Defendants").

6. That while in the Defendants' premises on November 1, 2024, Plaintiff fell on a stairway inside the Defendants' business premises, thereby sustaining personal injuries.

7. That at the time of the aforementioned fall, Plaintiff was a lawful business invitee in the Defendants' premises and said incident occurred in an area open and available to Plaintiff.

8. That it was the duty of the Defendants and their employees and agents to exercise ordinary care to maintain the business premises in a reasonably safe condition for the use of their business invitees, including Plaintiff, and to warn their business invitees of latent or concealed dangerous conditions, of which they knew or should have known.

9. That it was the Defendants' duty to their invitees, including Plaintiff, to discover the existence of dangerous conditions, including the stairway that Plaintiff fell on, and to either correct such dangerous conditions or provide warning of them.

Presiding Judge: HON. MARY K. MOLLOY (616422)

COM : 000002 of 000005

NOT ORIGINAL

DOCUMENT

06/19/2026 03:06:24

PM

MEDIA5040

10. That the dangerous conditions in Defendants’ premises included, but were not limited to, the lack of a handrail and inadequate lighting for the stairway.

11. That the Defendants should have anticipated the incident on the stairway that caused Plaintiff’s injuries.

12. That the stairway in the Defendants’ premises was in fact an unsafe condition of which the Defendants failed to warn Plaintiff and, further, the Defendants should have anticipated the injuries caused to Plaintiff.

13. That the stairway in the Defendants’ premises constituted an unreasonably dangerous condition.

14. That the stairway on which Plaintiff fell was constructed in violation of the building codes of the City of Covington, and/or Kenton County, and/or the Commonwealth of Kentucky and, therefore, the Defendants’ conduct in the construction and maintenance of the stairway constitutes negligence per se.

15. That the Defendants were negligent in their defective construction and maintenance of the stairway.

16. That it was the Defendants’ duty to their business invitees, including Plaintiff, to construct and maintain the stairway in accordance with all applicable building codes and free of defects.

17. That Defendants breached their duties to keep its premises in a safe condition and/or to warn Plaintiff of dangerous conditions and/or to construct and maintain its premises in accordance with all applicable building codes and free of defects and failed to keep the premises in safe and proper condition for use by their invitees.

Presiding Judge: HON. MARY K. MOLLOY (616422)

COM : 000003 of 000005

18. That the Defendants' breach of their duty to keep their premises in a safe condition and/or to warn Plaintiff of dangerous conditions and/or to construct and maintain their premises in accordance with all applicable building codes and free of defects was the proximate cause of Plaintiff's fall and the injuries she sustained as a result thereof.

19. That the Defendants either caused the unsafe condition or, in the exercise of ordinary care, should have discovered the unsafe condition and remedied it before Plaintiff was injured.

20. That the Defendants' conduct in causing or failing to remedy the unsafe condition or to warn Plaintiff of the unsafe condition was negligent, careless, wanton, willful, and reckless.

21. That as a direct and proximate result of the Defendants' negligent, reckless, careless, wanton, and willful conduct, Plaintiff has suffered serious and painful bodily injuries, some of which are permanent in nature; and has incurred significant medical expenses in an amount not yet determined. Additionally, Plaintiff is expected to require further medical treatment and will incur additional medical expenses in the future.

22. That Plaintiff has suffered physical pain and mental anguish in the past and will suffer additional physical pain and mental anguish in the future, all as a direct and proximate result of the negligence of the Defendants and Plaintiff's injuries sustained in this accident.

**WHEREFORE**, Plaintiff, Sheryl Zollars, having suffered injuries and damages as hereinbefore set forth demands:

- A. For judgment in favor of the Plaintiff against the Defendants in a sum in excess of the jurisdictional minimum of this Court;
- B. For trial by jury;
- C. For summons to issue as directed in the caption of this Complaint;

NOT ORIGINAL

06/19/2026 03:06:24

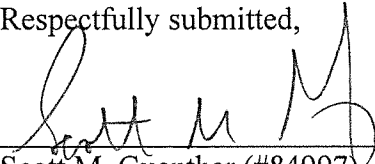
MEDIA5040

DOCUMENT

PM

- D. For her costs herein expended; and
- E. For any and all other relief to which she may appear entitled.

Respectfully submitted,




---

Scott M. Guenther (#84997)  
 Adams Law, PLLC  
 40 West Pike Street  
 Covington, Kentucky 41011  
[sguenther@adamsattorneys.com](mailto:sguenther@adamsattorneys.com)  
 (859) 394-6200  
*Attorney for Plaintiff,*  
*Sheryl Zollars*

370493.1

Presiding Judge: HON. MARY K. MOLLOY (616422)

COM : 000005 of 000005