

COMMONWEALTH OF KENTUCKY
CALDWELL CIRCUIT COURT
CIVIL ACTION NO.: 18-CI-00101

LAINIE BECKNER, RONNIE BECKNER
and SHANA JAGGERS, As Co-Administrators
of the ESTATE OF GRANT BECKNER

PLAINTIFF

v.

PRINCETON LODGE #1115, BENEVOLENT
AND PROTECTIVE ORDER OF ELKS OF
THE UNITED STATES OF AMERICA,
STEVE WALLACE, JARROD JACKSON and
JESSICA BOARD

DEFENDANTS

DEFENDANTS' TRIAL BRIEF
(Electronically Filed)

Come now Defendants, Princeton Lodge #115, Benevolent and Protective Order of Elks of the United States of America [hereinafter "Princeton Lodge #115"], Jarrod Jackson, and Jessica Board, by counsel, and for its trial brief, submit the following:

A. Case Summary

This case arises from an altercation between Grant Beckner and Joey Anderson that occurred at Princeton Lodge #1115 on the evening of Saturday, April 15, 2017. Mr. Anderson ultimately stabbed Mr. Beckner in the altercation, and Beckner died from his injuries. Both Anderson and Beckner were Lodge members, and Anderson also worked there as a bartender, although he was off duty at the time of the incident.

Anderson had worked as a bartender that morning, but his shift ended around 5:00 p.m., when Alyssa Butler took over as the Lodge's lone bartender for the evening. Mr. Anderson stayed at the Lodge for about an hour, then he went to Hu-B's Restaurant and Crooked Tail Distilling Co. before returning to the Lodge just before 10:00 p.m.

Over the course of the evening, Anderson was periodically loud, agitated and confrontational. His discontent seemed largely focused upon the volume of the jukebox, which he wanted increased, and individuals at Grant Beckner's end of the bar, whom he believed were responsible for the bartender's unwillingness to make the music any louder. Bartender Alyssa Butler and patrons and Lodge officers Cabott Coleman and Jarrod Jackson attempted to calm Anderson down, and they were largely successful in the short term. Anderson would eventually return to being loud, agitated, and confrontational, though.

Just after 11:30 p.m., Alyssa Butler got Mr. Anderson's credit card from him and began to cash out his tab. As she did that, Anderson blurted out "pussy bitches ain't scared of me" to no one in particular. Although Grant Beckner and Joey Anderson had not directly interacted with each other that night, Beckner asked Anderson if he was talking to Beckner. Anderson said he was, and both men rose from their seats and advanced toward each other, and an altercation ensued. Anderson and Beckner grappled briefly before the fight was broken up and they were separated.

Joey Anderson was immediately ejected from the building by Tyler Mahan, and Brian Martin and Jarrod Jackson restrained Grant Beckner while Anderson was taken outside. Beckner threatened to strike Mr. Jackson and Mr. Martin if they didn't release him, and they let him go. During this time, patron Kevin Reed told those restraining Beckner, "Let him go, let him go. Joey needs his ass whipped." Kevin Reed also egged Beckner on about the fight and encouraged Beckner to pursue Anderson, saying things like "you going to let him get away with that shit?" Bar manager Christina Cooley attempted to get Beckner to stay inside until Anderson had left the premises, but her effort was unsuccessful, and Beckner also left the building.

Mr. Beckner exited the Lodge with Kevin Reed, Cabott Coleman, Austin Boaz, and Vickie Cotton following close behind. The group pushed past Tyler Mahan, who was heading back inside

to retrieve Anderson's hat and sunglasses, and instead of continuing in the direction of his golf cart, Beckner turned right in Anderson's direction.

Beckner followed Anderson to the edge of the patio fence, where the two began to fight again. The pair quickly went to the ground, with Beckner on top of Anderson. Tyler Mahan attempted to intervene to stop the fight, but Vickie Cotton stopped him, stating it was "best to leave it alone" and that he should "let them go at it."

Beckner hit Anderson 15-20 times before suddenly stopping and toppling over, as a result of Anderson stabbing him repeatedly. Anderson then got up, began walking toward the Lodge's rear parking lot, then circled around Mahan and Cotton and walked around the front and then the far side of the building to his truck, which was parked in the rear. None of the individuals near the fight ever saw Anderson brandish a knife or stab Beckner, and no one realized Beckner had been stabbed until after Anderson had walked away.

Mr. Beckner soon succumbed to his injuries, and by the time paramedics arrived, he was unconscious and unresponsive, had no pulse, and his pupils were fixed and dilated.

B. Disputed Facts.

Significant factual disputes include disputes over the extent to which Princeton Lodge #1115 knew of Joseph Anderson's statements on April 15, 2017 and his prior encounters with Sissy Redd and David Brightwell, the nature of Anderson's prior encounters with Sissy Redd, David Brightwell, and Steve Wallace, and the extent of any pain and suffering experienced by Grant Beckner prior to his death. Discovery remains ongoing, and additional factual disputes may materialize.

C. Disputed Legal Issues.

See Plaintiffs and Defendant's pretrial motions.

D. Anticipated Evidentiary Problems.

See Plaintiffs and Defendants' motions in limine.

Respectfully submitted,

WHITLOW, ROBERTS, HOUSTON & STRAUB, PLLC
Attorneys for Defendants

By: /s/ James R. Coltharp, Jr.

James R. Coltharp, Jr.
P.O. Box 995
Paducah, KY 42002-0995
Telephone: (270) 443-4516
Facsimile: (270) 442-1712
jcoltharp@whitlow-law.com

CERTIFICATE OF SERVICE

I hereby certify that this 29th day of June, 2022, I electronically filed the foregoing with the Clerk of the Court by using the Kentucky Court of Justice e-filing website and that I served a copy of the foregoing by electronic service and/or U.S. Mail to the following:

David Bryce Barber, Esq., david.barber@thomaslawoffices.com, Thomas Law Offices, 9418 Norton Commons Blvd., Suite 200, Louisville, KY 40059, *Co-Counsel for Plaintiff*;

Elizabeth Downey Barber, Esq., attyedowneybarber@gmail.com, 635 W. Main Street, Third Floor, Louisville, KY 40202, *Co-Counsel for Plaintiff*; and

Michael Burman, Esq., mike@burmanlaw.com, 1610 South Virginia Street, Hopkinsville, KY 42241, *Co-Counsel for Plaintiff*.

/s/ James R. Coltharp, Jr.
James R. Coltharp, Jr.