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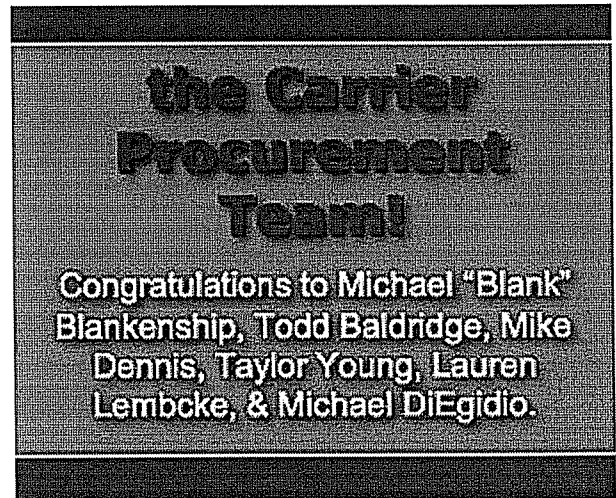
Published October 26, 2007 11:08 am - Lamone Rogers is still recovering from injuries he sustained after being hit by a car during the Anderson Black Expo parade on Aug. 11.

8:48 p.m.: UPDATE: Performer suing Anderson Black Expo

Steve Dick

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Lamone Rogers is still recovering from injuries he sustained after being hit by a car during the Anderson Black Expo parade on Aug. 11. According to his attorney, Steven Crell of Cohen, Garelick & Glazier, Indianapolis, Rogers assumed all of his health care costs and never heard from anyone involved with Anderson Black Expo.



On Thursday, Rogers filed suit in Madison

Superior Court 1 against Timothy R. Nails, the driver of the car; Christie Woods Smith, the owner of the car; Anderson Chapter Indiana Black Expo Inc., including Connie Fields, chapter president; and "other as of yet unnamed individual members of Anderson Chapter Black Expo Inc.," Indiana Black Expo Inc. and Indiana Black Expo-Anderson Chapter Inc.

The damages are unspecified in the suit. "We're only going to ask what the jury thinks Rogers deserves," Crell said.

Contact with Indiana Black Expo was made by The Herald Bulletin on Friday, but a representative said the organization was unfamiliar with the lawsuit. A copy of the suit was faxed to Indiana Black Expo, but repeated

calls thereafter were not returned.

Fields was reached, but said, "I know nothing about (the lawsuit)." She said the attorney for Indiana Black Expo told the local chapter not to discuss the suit until it was reviewed.

Rogers, 33, a member of the Naptown Real Rollers, was roller skating in the parade when he was struck by a 1988 Chevrolet Caprice driven by Nails. The Herald Bulletin reported at the time that Rogers was performing a stunt low to the ground when the car hit him and dragged him. He suffered a "serious compound fracture" to his ankle, according to Crell, and a broken shoulder blade and was taken by helicopter from Saint John's Health Center to Methodist Hospital.

Crell said an unknown person, a woman, presented a videotape to Rogers' family that paints a different picture than what the police report had at the time, according to Crell.

"It's painfully obvious there was negligence on the part of the driver," said Crell. "The police report appears to contain a few inaccuracies compared to the video."

Crell said Nails was shown driving erratically during the parade in the video, which began two to three minutes before Rogers was hit. "He pulled out and ran over Rogers. No one at the parade tried to prevent that from happening," said Crell.

The attorney said he sent certified letters to Nails and Fields looking for compensation, an apology or a show of concern and got no response. "(Rogers) was hurt badly," said Crell. The attorney thinks it will be a long time before Rogers will be able to perform again, if ever.

Crell emphasized the importance of the videotape. "It would be harder to bring this suit without the videotape," he said. "With only the police report, we wouldn't have clear understanding of what happened."

The Herald Bulletin article for Aug. 12 stated that the police had a videotape, provided by a spectator, of the incident. That article quoted Sgt. Bill Casey of the Anderson Police Department but not about the series of events that led to Rogers being hit.

Crell explained that "other as of yet unnamed individual members" is according to state law because Anderson Black Expo was not incorporated when the accident occurred. Without that incorporation, each individual member is responsible for judgments, according to Crell.

Crell said in September, a month after the incident, Anderson Black Expo did incorporate.

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The attorney said he would wait until the defendants enter their appearance to the suit at which point he will seek a jury trial.

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