

Superior Court of the Internet
In the Absolute State of This, The Immaterial Plane

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|---|---|------------------------------|
| The Chicago Firefighters, Players, |) | |
| and Fans |) | |
| |) | Case No. CV-20-451 |
| <i>Plaintiffs</i> |) | |
| |) | Complaint |
| v. |) | |
| |) | 1. Battery |
| Umpire Pope Sunman, a/k/a/ Ump Poop |) | 2. Assault |
| Sunman , in their official capacity as |) | 3. Intentional Infliction of |
| Umpire and Pope, |) | Emotional Distress |
| and |) | 4. Negligence |
| Parker MacMillan III , in his official |) | 5. Respondeat Superior |
| capacity as Commissioner and CEO of |) | |
| Internet League Blaseball |) | Demand for Jury Trial |
| |) | |
| <i>Defendants</i> |) | |

Plaintiffs the Chicago Firefighters and Fans (hereinafter 'Plaintiffs') by and through the undersigned counsel hereby appear before this honorable Court and state the following:

COMPLAINT

1. Defendant Umpire Pope Sunman is an Umpire of Internet League Blaseball, present at the time of the actions in the Chicago Firefighters chat or reasonable locations nearby in the Immaterial Plane.
2. Defendant Parker MacMillan III is the CEO and Commissioner of Internet League Blaseball, whose corporate offices reside in the Immaterial Plane.

3. Plaintiffs are all members of or fans of the Chicago Firefighters, who were present in the Chicago Firefighters chat during these incidents.
4. On or about the morning of October 22, 2020, the Chicago Firefighters' chat was having a totally normal, very casual day.
5. As part of exercising their First Amendment rights, the Firefighters and fans began a gentle ribbing of Umpire Pope Sunman by calling them their traditional Chicago nickname of "Ump Poop Sunman".
6. At or around 12:23 PM EST and completely without provocation, the aforesaid Ump Pope Sunman/Ump Poop Sunman began incinerating members of the Firefighters three Discord chats.
7. The first incineration was completely without warning. Subsequent incinerations were preceded by Ump Pope Sunman declaring "YOU CAN'T JUST CALL ME POOP SUNMAN FOR ATTENTION."
8. Shortly after the first incineration, Ump Pope Sunman incinerated the three Discord chats themselves.
9. Between the times of approximately 12:30 to 1:00 PM EST, Ump Pope Sunman incinerated multiple members of the Discord chat; some of them were incinerated multiple times.
10. During the spread of the fires, multiple members were surrounded by flames, including but not limited to: Firefighters, carcinized Firefighters, and Carl the Firefighters' beloved turtle.
11. Carl is a very good turtle, who did not deserve any of this.
12. At all times during the alleged events, Ump Pope Sunman remained an Umpire in the employ of Internet League Blaseball, and therefore answerable through arcane and unknowable methods to Internet League Blaseball.
13. At all times during the alleged events, Parker MacMillan III remained CEO and Commissioner of Internet League Blaseball, and therefore answerable (through arcane but knowable legal processes) for the actions of his employees.

COUNT 1: BATTERY

14. Plaintiffs reallege all allegations from paragraphs 1-13, and incorporate them herein by reference.
15. Battery is defined under the common law as the intent to cause unwanted and harmful or offensive contact, and that said contact actually occurs. *Vosburg v. Putney*, 80 Wis. 523, 50 N.W. 403 (Wisc. 1891).
16. Contact does not have to be with the individual directly; it may also be to objects about their person. *Fisher v. Carrousel Motor Hotel, Inc.*, 424 S.W.2d 627 (1967).
17. Great stock is put in the manner in which the contact is made; even light or otherwise non-harmful contact may be harmful if it is done in an intentionally offensive manner. "Personal indignity is the essence of an action for battery; and consequently the defendant is liable not only for contacts which do actual physical

harm, but also for those which are offensive and insulting.” *Fisher*, supra, citing Prosser, *Intentional Infliction of Mental Suffering: A New Tort*, 37 Mich.L.Rev. 874 (1939).

18. By lighting them on fire with their Umpiric powers, Ump Pope Sunman/Ump Poop Sunman intended to cause harmful or offensive contact to the Plaintiffs. Because said contact did occur (see Appendix 1: Screenshots), Ump Pope Sunman/Ump Poop Sunman committed the intentional tort of Battery and should be held liable for such.

COUNT 2: ASSAULT

19. Plaintiffs reallege all allegations from paragraphs 1-18, and incorporate them herein by reference.
20. Assault is defined under the common law as the intent to cause fear or apprehension of imminent harmful or offensive contact. *Fisher*, supra at paragraph 16.
21. While Ump Pope Sunman/Ump Poop Sunman did not directly threaten to light anyone on fire if they persisted in jocular, First Amendment protected teasing, his ominous announcement was clearly intended to threaten the Firefighters and fans.
22. Coupled with the incinerations, the intent was clearly to frighten the rest of the Plaintiffs into submission with the fear of imminent incineration if they did not¹.
23. By announcing their intentions in a way designed to create fear of imminent incineration, Ump Pope Sunman/Ump Poop Sunman committed the tort of assault and should be held liable for such.

COUNT 3: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

24. Plaintiffs reallege all allegations from paragraphs 1-23, and incorporate them herein by reference.
25. Intentional Infliction of Emotional Distress is composed of four elements: “(1) the defendant must act intentionally or recklessly; (2) the defendant's conduct must be extreme and outrageous; and (3) the conduct must be the cause (4) of severe emotional distress.” *Boes v. Deschu*, 768 S.W.2d 205, 207 (Mo. App. 1989).
26. As shown in previous sections, Ump Pope Sunman/Ump Poop Sunman acted intentionally to incinerate members of the Firefighters, fans, and chats; and recklessly by causing damage to buildings and structures.
27. No test exists for specifically determining whether conduct is extreme or outrageous; courts and juries are given broad latitude to determine whether the conduct is “so outrageous in character, and so extreme in degree, as to go beyond all possible bounds of decency, and to be regarded as atrocious, and utterly intolerable in a civilized community.” *Id.*, citing *Rooney v. Nat'l Super Markets, Inc.*, 668 S.W.2d 649 (Mo.App. 1984).

¹ It certainly worked, if the screaming is any indication.

28. While it perhaps goes without saying that lighting innocent people and turtles on fire is outrageous, the Plaintiffs do not let it go unsaid and instead allege it here directly. Because it is.
29. The damages caused by this distress must be medically significant, or of such impact that they would be medically significant. *Id.*
30. It is not the burned clothing and structures that the Plaintiffs allege caused them such a level of distress, but the threat to the health and well-being of universally beloved and admired turtle Carl. The threat of harm to Carl caused multiple fans to plunge themselves into the fire to save him. Others, when prompted, complained of medical conditions related to the stress of Carl's near immolation including:
- a. Heart palpitations
 - b. Face palpitations
 - c. Actually feeling feelings, for once.
 - d. Loss of consortium with loved ones.
 - e. Gallstones
 - f. Frankenstein syndrome.
 - g. Locked-in syndrome²
 - h. Temporary Chicago Amnesia Syndrome (TCAS)³
 - i. Whining And Feeling Cranky (WAFC)⁴
 - j. Being mauled by she-bears⁵
31. By purposefully creating the circumstances where Carl was threatened, Ump Pope Sunman/Ump Poop Sunman is the direct and proximate cause of the medical conditions suffered by the Plaintiffs. This constitutes Intentional Infliction of Emotional Distress, and they should be held liable for such.

COUNT 4: NEGLIGENCE

32. Plaintiffs reallege all allegations from paragraphs 1-31, and incorporate them herein by reference.
33. Negligence requires four elements under the common law:
- a. A duty of care owed to another party;
 - b. A breach of that duty;
 - c. That the breach is the cause of;
 - d. Damages.
34. Even absent any other duty of care which may be assumed or imputed to an individual, each person owes to all their fellows a basic duty to act reasonably in their day to day circumstances. See, *e.g.*, Fleming James, Jr., *Scope of Duty in Negligence Cases*, 47 Northwestern Law Review 778-816 (1953).

² The kind where they're locked in their house because they forgot their keys and all the locks were installed backwards by accident, not the kind where they're paralyzed and trapped.

³ The rare but terrifying disorder where one temporarily forgets they are from Chicago.

⁴ WAFC!

⁵ 2 Kings 2:23-24.

35. As an Umpire of Internet League Blaseball, Ump Pope Sunman/Ump Poop Sunman has a heightened duty of care to the Firefighters and fans. While Firefighters may be in line for incineration when the weather is right, under different weather conditions they reasonably expect to not be incinerated; and fans have never been incinerated directly by Umps⁶.
36. Incinerating buildings and starting fires that further damage other structures⁷ is certainly not within the duty of care owed by ILB Umpires to their players and fans.
37. As a direct result of the lighting of fires in breach of the duty owed by ILB umpires, the City of Chicago suffered roughly twenty-seven billion coins of damage. These include but are not limited to:
- a. Damage to the Royal Crown Malort production factory, which resulted in an entire neighborhood being flooded⁸.
 - b. Actual and ironic damages to the Firehouse⁹.
 - c. Lost wages resulting from the Firefighters accounting department being burned down¹⁰.
 - d. She-bears¹¹.
 - e. The Blean being temporarily discomfited, which caused Lake Michigan to briefly reach boiling temperature.
 - f. The boiling of Lake Michigan, which caused significant damage to things that matter: People, communities, fish. Also Wisconsin.
 - g. Declan Suzanne's XBOX was damaged by the boiling of Lake Michigan, where it had been placed in order to force him to focus on the game¹².
38. As the one who lit the fires, Ump Pope Sunman/Ump Poop Sunman is both the actual and proximate cause of the damages done.
39. By breaching their duty of care and causing the damages to the city of Chicago¹³, its Firefighters and fans¹⁴, the environment, Carl, and the Blean, Ump Pope Sunman/Ump Poop Sunman acted negligently and should be held liable.

COUNT 5: RESPONDEAT SUPERIOR

⁶ Swallowed by the earth when Moab became the Hellmouth, yes. Accidentally sucked into a black hole when they were partying on the moon, sure. Forced to deal with the fact that Tillman Henderson exists, bad enough but fine. But not incinerated.

⁷ And interrupt turtle nap time.

⁸ Victims reported the horror was as powerful as the taste.

⁹ Ironic damages are a rarely awarded form of emotional damages, as discussed in the landmark article *Spoon v. Knife: Coping With Ironic Damage* by Professor Morrisette.

¹⁰ Especially crippling, given the lack of Eat the Rich payments. See, e.g., *New York Millennials v. Parker MacMillan III et al*, ongoing.

¹¹ This actually predates the emotional damage the she-bears inflicted, as it was during the fire they escaped and began their horrific rampage.

¹² Get it together, Declan.

¹³ Where we are from.

¹⁴ Who we are, in the place where we are from.

40. Plaintiffs reallege all allegations from paragraphs 1-39, and incorporate them herein by reference.
41. Respondeat Superior is a legal doctrine by which an employer can be held liable for the actions of the employee.
42. In order to qualify, there must be an employer-employee relationship, and the employee must be acting within the scope of their duties.
43. At all times during the incidents alleged in the instant case, Ump Pope Sunman/Ump Poop Sunman was an Umpire employed by Internet League Blaseball. At all times during the incidents alleged in the instant case, Parker MacMillan III was the CEO and Commissioner of Internet League Blaseball. As the being who signs the checks, it is impossible to argue¹⁵ an Employer-Employee relationship does not exist between the CEO/Commissioner¹⁶ and an Umpire.
44. While the incineration of players, fans, turtles, and magical statues made of quasi-sentient and malicious paint is a breach of the duty of care, incinerations are within the scope of an Umpire's duty. See, e.g., *The Hall of Flame*¹⁷.
45. Because it was within the scope of an Umpire's duties, Internet League Blaseball and the Commissioner/CEO¹⁸ should be held liable for the actions of Ump Pope Sunman/Ump Poop Sunman.
46. It is also in the interests of justice to allow this to proceed, as Umps are almost certainly paid in peanuts, so if the Defendants want any coins they have to go after those deep MacMillan III pockets¹⁹.

DEMAND FOR JURY TRIAL

47. Pursuant to Rule 69²⁰ of the Immaterial Plane Rules of Civil Procedure, Plaintiffs herein demand a jury trial in this matter. Said jury to consist of those members of the public deemed to be their peers, namely citizens and residents of Chicago²¹.

WHEREFORE the Plaintiffs pray judgment against the Defendants for the following:

1. Twenty-seven trillion coins in actual damages;
2. An equal amount in emotional and punitive damages;
3. 1,000 coins to every Firefighters fan for ironic damages.
4. Changing the Chicago Firefighters motto from "We're from Chicago" to the more pleasing, widely used, and ominous "We Are From Chicago."
5. A sincere apology.

¹⁵ Although they will try.

¹⁶ Who is otherwise doing a great job.

¹⁷ <https://www.blaseball.com/thehall>

¹⁸ Cannot stress this enough, otherwise nailing it.

¹⁹ And before the Millennials bleed them dry, with any luck.

²⁰ Nice

²¹ Which is, fortunately, everyone.

6. Any other relief as this equitable court deems just, fair, and equitable under the circumstances.

Dated: 10/22/2020

/s/ @mpark6288

@mpark6288, Esq.
Chicago Firefighters
The (burned down) Firehouse
Chicago, Where We Are From.

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that the foregoing document was served on the opposing parties through Existential Service, and also Twitter, in accordance with IPRCP 3.14(repeating).

/s/ @mpark6288

@mpark6288, Esq.

Appendix 1: Proof



Destruction of Chicago

▼ 🔥 FIREFIGHTERS

🔒 # incinerated-the-fire-house

● 🔒 # incinerated-firewatch

● 🔒 # incinerated-the-briefing-room



INCINERATED 🔥 L314 🔥 Today at 11:42 AM
MISSED SHOTS DON'T TAKE



INCINERATEDx3Butts Mahoney Today at 11:42 AM
leave carl out of this he did nothing wrong



INCINERATED RagnarokRose... Today at 11:55 AM
WALL OF WAFC LET'S GOOOOOOOO

W 2 A 1 F 1 C 1 😊



DEALER of DEETH WAFC Today at 11:55 AM
APPEASING WAFC



INCINERATED riley/lyra he/they Today at 11:55 AM
WAFC



INCINERATED RagnarokRose... Today at 11:55 AM
WAFC



Mercury Today at 11:55 AM
Here, take this jacket and stay safe.



INCINERATEDrobbie (he/him) Today at 11:55 AM
WAFC



INCINERATED L314 Today at 11:55 AM
WAFC

