

Code Of Conduct: Mosh Pits, Assumption Of Risk, And Bodily Injury Claims

April 18, 2017 | by Einhorn Barbarito

Anyone who has ever attended a heavy metal concert is no stranger to the mosh pit. Indeed, some consider it an integral part of the experience. Participants consent to varying degrees of physical contact all the while assuming the risk of bodily injury. Conduct considered “outside the bounds”, however, could form the basis for a personal injury lawsuit.

Joshua Dugas recently filed suit against Live Nation, among other defendants, contending that he sustained a permanent, traumatic brain injury after he was struck in the head with a skateboard by an unknown person in the mosh pit of a heavy metal festival held on July 29, 2015.

According to the lawsuit, the defendants allegedly permitted a non-profit organization to pass out skateboards to concertgoers without considering and/or implementing safety measures to protect against their use as weapons. In addition to seeking recovery for his injuries and medical expenses, Mr. Dugas hopes to change safety protocol by protecting future concertgoers from similar incidents.

For more information, please [read](#).