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Dog bite leads to suit against Mary Kay, consultant

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By Lawrence Smith

RIPLEY - A cosmetics giant and one of its saleswomen from Michigan are named as co-defendants in a lawsuit filed by a Wood County man who alleges he was bitten by one of the woman's dogs while servicing her disabled rental vehicle.

Chaad E. Moore filed suit against Devon Bossory and Mary Kay Inc. in Jackson Circuit Court on June 26. In his complaint, Moore, 34, a Vienna resident, alleges that Bossory, a Mary Kay independent beauty consultant, failed to restrain her dog when he was called to service her U-Haul truck the month before.

According to court records, Moore was dispatched on May 11 to the Marathon station off the Silverton/Ravenswood exit along Interstate 77 to assist Bossory, 27, with getting the U-Haul truck back on the road. The truck apparently developed a flat tire as Moore is an employee of S&S Tire.

Before performing any work on the truck, Moore entered it to set the emergency brake. When he did, Moore alleges a dog belonging to Bossory attacked him.

After exiting the truck, Moore alleges the dog continued to attack him, and eventually bit him. Records show that the dog's attack was "in such a vicious and brutal manner" that it caused him injuries "which are permanent in nature."

In his suit, Moore alleges that the incident occurred while in the "course and scope" of Bossory's employment with Mary Kay. Because of that, Moore maintains that the Dallas, Texas-based cosmetics retailer should be held jointly and severally liable for Bossory failing to restrain her dog.

As a result of the dog bite, Moore alleges he suffered, among other things, "pain and suffering, loss and enjoyment of life, inconvenience, annoyance, humiliation, embarrassment, mental and emotional distress, mental anguish...and physical scarring."

He is asking to be awarded unspecified damages, court costs and attorney fees.

According to her profile on the social networking site, MySpace, Bossory owns a Springer Spaniel and a German Shepherd. Records are unclear which dog allegedly bit Moore.

Apparently, Bossory was moving from Havelock, N.C., where her husband had been stationed at the Cherry Point Marine Corps Air Station, back to her hometown of Traverse City, Mich. In addition to being a Mary Kay consultant, Bossory is a self-employed massage therapist.

Founded by its namesake, Mary Kay Ash, in 1963, Mary Kay Inc. is a direct-selling company that markets its branded line of cosmetics through 1.8 million independent consultants. According to its Web site, sales of Mary Kay beauty products topped \$2.6 billion worldwide in 2008.

Among the rewards given to some of its top performers is use of a "career car." Included in the options of career cars Mary Kay offers is the trademark pink Cadillac.

When contacted, Crayton Webb, a Mary Kay spokesman, said the company had yet to be provided notice of the suit. Though Mary Kay typically does not comment on any pending litigation, Webb said any liability incurred for the dog's actions would be strictly Bossory's since she is not a Mary Kay employee.

"We have a very clear relationship with our consultants," Webb said. "They have their own business."

Bossory was unavailable for comment, and did not return repeated messages by presstime.



Moore is represented by Parkersburg attorney Bruce M. White.

The case has been assigned to Judge Thomas C. Evans III

Jackson Circuit Court, Case No. 09-C-77

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