

Probably No Second Date

By Reg P. Wydeven
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When my wife and I have a date night, we love to go out for dinner and go to a movie. Our very first date was a romantic dinner at Naut's Landing followed by the movie 'Independence Day.' When I came home from law school over Christmas break, we went to see 'Scream,' the horror movie everyone was talking about. I knew it was going to be scary when the star of the movie, Drew Barrymore, was killed by Ghostface less than five minutes into the film.

When I leaned over to ask my wife if she could believe the opening scene, I found her crouched way down in her seat with her hands over her eyes. I asked what was wrong, and she replied that she didn't like scary movies. So we left.

Of our hundreds of awesome dates, that one was memorable because of how hilariously it ended. Not all lousy movie dates leave such positive memories, however.

Take Brandon Vezmar, for example. The 37-year-old man from Austin, Texas, asked a 35-year-old woman that he met online out on a date. He took her to see the 3D version of 'Guardians of the Galaxy, Vol. 2' at the Barton Creek Square theater earlier this month.

Unfortunately, they did not make a love connection. According to Vezmar, "It was kind of a first date from hell." About fifteen minutes into the movie, his date purportedly began texting on her phone. Vezmar claims the woman "activated her phone at least 10-20 times in 15 minutes to read and send text messages." Coincidentally, texting during a movie is one of Vezmar's "biggest pet peeves."

Vezmar, who owns his own communications consulting company, asked her to stop texting, but she refused. So he then suggested that she go into the theater's lobby to text, which she did. But instead of coming back, she just left. Adding insult to injury, she had driven Vezmar to the theater, so she left him stranded.

Instead of chalking it up as a bad date and leaving him with a good story for his buddies, Vezmar texted the woman a few days later and asked her to repay him \$17.31, the price of the ticket. She refused, so he took the next logical step: he sued her.

Vezmar filed a small claims action against the woman in Travis County, Texas. According to his complaint, Vezmar's date's texting was a "direct violation" of the theater's policy and that she "adversely" affected his viewing experience and that of other patrons. He is seeking to regain his \$17.31. Vezmar claims that, "While damages sought are modest, the principle is important as defendant's behavior is a threat to civilized society."

According to the woman, she only texted two or three times. "I had my phone low and I wasn't bothering anybody," she maintains. "It wasn't like constant texting." The woman is also planning to file a protective order against Vezmar because he contacted her younger sister for the money. "I'm not a bad woman," she insisted to the Austin American-Statesman. "I just went out on a date."

If Vezmar wins, he could set a bad precedent. Lucky for me, the statute of limitations has run on most of the bad dates my wife had to endure.

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