

IN THE CIRCUIT COURT OF WILL COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

JOHN DOE,)
)
 Plaintiff,)
)
 v.) No. 10-L-
)
 JIM TRUCKER, and)
 TRUCKING COMPANY, INC.)
)
 Defendants.)

COMPLAINT

COUNT I

NOW COMES the Plaintiff, JOHN DOE, by his attorney, Kelly Law Offices, P.C., and complaining of the Defendant, JIM TRUCKER, states as follows:

1. That the events complained of took place on September 17, 2008, in DuPage Township, Will County, Illinois.
2. Plaintiff, JOHN DOE, was driving his vehicle northbound on Interstate 55, in DuPage Township, Will County, Illinois.
3. Defendant, JIM TRUCKER, a resident of Warren, Michigan, was driving a semi owned by Defendant, TRUCKING COMPANY, INC., a Nebraska corporation, and traveling northbound on Interstate 55, DuPage Township, Will County, Illinois.
4. Notwithstanding his duty to keep a proper lookout for other vehicles traveling on the roadway, the front of Defendant's vehicle collided

with another vehicle, causing the front of that vehicle to collide with the rear of Plaintiff's vehicle.

5. In colliding with Plaintiff's vehicle, Defendant committed one or more of the following negligent acts or omissions:

- a) failed to maintain a proper lookout for other vehicles then upon the highway, including Plaintiff's vehicle; and
- b) failed to reduce the speed of his vehicle in order to avoid a collision, in violation of 625 ILCS 5/11-601.

6. As a proximate result of one or more of the acts of negligence of the Defendant, Plaintiff was injured.

7. Plaintiff suffered injuries to his back, left shoulder, and other parts of his body; Plaintiff has endured pain and suffering in the past and will have pain and suffering in the future; Plaintiff has suffered disability and will suffer disability in the future; Plaintiff has lost wages and will lose wages in the future and will suffer reduced earning power in the future; and Plaintiff has incurred and will incur medical expenses, all as a result of the injuries received.

WHEREFORE, Plaintiff, JOHN DOE, prays for a judgment against the Defendant, JIM TRUCKER, in an amount more than FIFTY THOUSAND DOLLARS (\$50,000.00), plus costs of suit. Plaintiff requests this cause be tried by a jury.

COUNT II

NOW COMES the Plaintiff, JOHN DOE, by his attorney, Kelly Law Offices, P.C., and complaining of the Defendant, TRUCKING COMPANY, INC., states as follows:

1. That the events complained of took place on September 17, 2008, in DuPage Township, Will County, Illinois.

2. Plaintiff, JOHN DOE, was driving his vehicle northbound on Interstate 55, in DuPage Township, Will County, Illinois.

3. At the time of the occurrence, Defendant, TRUCKING COMPANY, INC., a Nebraska corporation, was the owner of a certain semi which was then and there in the possession and control of the Defendant, JIM TRUCKER, and traveling northbound on Interstate 55, DuPage Township, Will County, Illinois.

4. At the time and place of this occurrence, the Defendant, JIM TRUCKER, was the agent and employee of the Defendant, TRUCKING COMPANY, INC., and was acting within the scope and authority of said agency.

5. It was then and there the duty of the Defendant, TRUCKING COMPANY, INC., through its agents and employees, before and at the time of the occurrence, to use ordinary care for the safety of the Plaintiff, and others along the highway.

6. Notwithstanding its duty as aforesaid, Defendant, TRUCKING COMPANY, INC., through its agent and employee, committed one or more of the following negligent acts:

- a) failed to maintain a proper lookout for other vehicles then upon the highway, including Plaintiff's vehicle; and
- b) failed to reduce the speed of his vehicle in order to avoid a collision, in violation of 625 ILCS 5/11-601.

7. As a direct and proximate result of one or more of the foregoing negligent acts, Defendant's employee, JIM TRUCKER, struck Plaintiff's vehicle, causing injury to Plaintiff.

WHEREFORE, Plaintiff, JOHN DOE, prays for a judgment against the Defendant, TRUCKING COMPANY, INC., in an amount more than FIFTY THOUSAND DOLLARS (\$50,000.00), plus costs of suit. Plaintiff requests this cause be tried by a jury.

JOHN DOE, Plaintiff,

By: _____
Timothy W. Kelly
Kelly Law Offices, P.C.
Atty #37990