

JOHN DENNIS GIBSON

[REDACTED]

Plaintiff,

v.

JESSICA WELSH

[REDACTED]

Defendant.

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\* IN THE

\* DISTRICT COURT

\* FOR

\* BALTIMORE CITY

\* Case Number: 0804-0040270-2008

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**COMPLAINT**

COMES NOW Plaintiff, John D. Gibson, by his [Maryland personal injury lawyer](#), Jason A. Ostendorf and Law Office of Jason Ostendorf LLC, and commences this action against Defendant, Jessica Welsh, and in support thereof states:

**I. Jurisdiction and Venue**

1. The District Court of Maryland has exclusive jurisdiction over this tort action for damages under \$10,000 pursuant to MD. CTS. & JUD. PROC. CODE ANN. § 4-401(1).

2. Venue is proper in Baltimore City pursuant to MD. CTS. & JUD. PROC. CODE ANN. §§ 6-202(8) because this is a negligence action, and the cause of action arose in Baltimore City.

**II. Parties**

3. At all times pertinent hereto, Plaintiff John D. Gibson resided at [REDACTED]. On February 9, 2007, Mr. Gibson owned the 2000 Jeep Cherokee, VIN Number 1J4FF48SOYL144285, which was properly parked in front of his home when Defendant negligently collided into it.

4. At all times pertinent hereto, Defendant Jessica Welsh resided at [REDACTED]. Defendant was driving a 2000 Jeep Cherokee, VIN Number 1J4FA24PSYP732687 when she collided in Mr. Gibson's parked car.

### **III. Facts Common to All Counts**

5. On February 9, 2007, at or about 5:40 p.m., Mr. Gibson returned home from a drive, and properly parked his 2000 Jeep Cherokee, VIN Number 1J4FF48SOYL144285 in front of his home, located at [REDACTED].

6. Mr. Gibson turned-off the engine, took the keys out of the ignition, and turned around to look through his back windshield to make sure it was safe before exiting the vehicle. Mr. Gibson opened his front driver's side door no more than 2 cm, preparing to exit once he confirmed it was safe to do so.

7. The weather was "clear," with "no defects." (Officer Report, Exhibit A).

8. During this time, Defendant was sitting in her 2000 Jeep Cherokee, VIN Number 1J4FA24PSYP732687, waiting at a traffic signal for the light to turn green so she could turn onto South Conkling Street. Unfortunately, once the light turned green, she swerved dangerously while turning, and collided into Mr. Gibson's parked car.

9. Defendant collided much more than 2 cm into the driver's side of Mr. Gibson's vehicle, and caused extensive damage to the entire front driver's side of Mr. Gibson's vehicle. (Estimate, Exhibit B).

10. The cost of the damage totaled \$4,160.73. Id.

11. The fact that the impact came out of no where, was in such close proximity to Mr. Gibson insofar as he saw the crash coming, while simply parked and waiting to exit his vehicle, caused Mr. Gibson undue stress, fright, anger and outrage.

#### IV. Count One: Negligence

12. Plaintiff incorporates hereto and deems part hereof all of the facts and allegations contained in paragraphs 1 through 11 as if the same were repeated herein.

13. Defendant, as a driver of a motor vehicle on a Maryland road, had a duty to conform her conduct and driving to that degree of reasonableness expected of a Maryland driver.

14. Defendant breached this duty by acting unreasonably in one or more of the following ways:

- (a) Swerving while turning onto South Conkling Street;
- (b) Colliding into Mr. Gibson's parked car, causing an impact of much more than 2 cm deep into Mr. Gibson's parked car; and
- (c) Engaging in other negligent conduct.

15. As a direct and proximate result of Defendant's negligence, Defendant caused damage to Mr. Gibson's vehicle in the amount of \$4,160.73. As a further direct and proximate result of Defendant's negligence, Mr. Gibson suffered undue stress, fright, anger and outrage.

**WHEREFORE**, Plaintiff prays for this Honorable Court to order Defendant to pay compensation to Plaintiff in the amount of \$9,999.99, plus interest, attorney's fees, and the costs of this action.

/s/ Jason Ostendorf  
Jason A. Ostendorf  
Law Office of Jason Ostendorf LLC  
10451 Mill Run Circle, Suite 400  
Baltimore, Maryland 21117-5594  
Office: (410) 356-8859  
[jostendorf@ostendorflaw.com](mailto:jostendorf@ostendorflaw.com)  
*Attorney for Plaintiff*