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9 Attorney for Plaintiff

10 **MONTANA THIRTEENTH JUDICIAL DISTRICT, YELLOWSTONE COUNTY**

11 JERRY ZIMMERMAN, ) Case No. DV 08-0712  
12 )  
13 Plaintiff, ) Judge Ingrid Gustafson  
14 vs. )  
15 ) **SECOND AMENDED COMPLAINT AND**  
16 ) **DEMAND FOR JURY TRIAL**  
17 NICHOLAS A. WILLIAMSON, )  
18 )  
19 Defendant. )  
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29 The Plaintiff, Jerry Zimmerman, by and through his attorney of record, Solomon S.  
30 Neuhardt for his complaint against Defendant alleges as follows:

- 31 1. At all material times, Plaintiff was and is presently a resident of Yellowstone  
32 County, Montana.
- 33 2. On May 21, 2005, in Yellowstone County, Montana, Plaintiff, Jerry Zimmerman  
34 (“Jerry”) was northbound on South 24th Street West and stopped at the light on Monad Road to  
35 make a left hand turn. Jerry had a green light and started to make a left turn. The Defendant,  
36 Nicholas A. Williamson was southbound on South 24th Street West when he ran the red light  
37 smashing into the car driven by Jerry.
- 38 3. As a result of the impact of the collision, Jerry suffered personal injuries and  
39 property damage.

1 **COUNT ONE: NEGLIGENCE**

2 4. Plaintiff incorporates by reference the allegations contained in Paragraph Nos. 1  
3 through 3 as though fully stated herein.

4 5. Defendant Nicholas A. Williamson owed a duty of care to Plaintiff to drive in a  
5 safe and prudent manner.

6 6. Defendant Nicholas A. Williamson breached the standard of care by negligently  
7 smashing into Jerry Zimmerman.

8 7. Defendant Nicholas A. Williamson's breach caused injuries to Jerry  
9 Zimmerman.

10 **DAMAGES**

11 12. As a direct and proximate result of Defendant's negligence as stated above in  
12 Counts One and Two, Jerry Zimmerman suffered injuries.

13 13. Additionally, as a direct and proximate result of Defendant's negligence, Jerry  
14 Zimmerman suffered general and special damages including but not limited to past and future  
15 medical expenses and lost earnings and/or profits as well as general damages including but not  
16 limited to pain and suffering of mind and body and impaired earning capacity, all in amounts to  
17 be determined by the jury herein.

18 WHEREFORE, Plaintiff prays judgment against the Defendant as follows:

- 19 1. The Plaintiff be awarded damages in amounts to be determined at trial.  
20 2. For costs of suit herein.  
21 3. For such other and further relief as may be just and proper.

22 **PLAINTIFF DEMANDS TRIAL BY JURY**

23  
24 Respectfully submitted this \_\_\_\_ day of \_\_\_\_\_, 2009.

25  
26 Neuhardt Law Firm, P.C.  
27 Attorney for Plaintiff

28 By: \_\_\_\_\_  
Solomon S. Neuhardt