

IN THE CIRCUIT COURT OF Z

X,)
)
 Plaintiff,) **No: _____**
)
 vs.)
)
 Y,)
)
 Defendant.)

COMPLAINT AT LAW

NOW COMES the Plaintiff, **X**, by her attorneys, **ANKIN LAW OFFICE LLC**, and complaining of the Defendant, **Y**, states as follows:

1. On and prior to DATE, STREET A and STREET B were public roadways in the City of CITY, County of COUNTY, State of STATE.

2. On or about DATE, at about TIME, the Plaintiff, **X**, was operating a YEAR/MAKE/MODEL DIRECTION on STREET A at or near its intersection with STREET B, in the City of CITY, County of COUNTY, State of STATE.

3. At the aforesaid time and place, the Defendant, **Y**, by and through its duly authorized agent and/or representative driver was operating a VEHICLE TYPE owned by the Defendant, **Y**, DIRECTION on STREET B at or near its intersection with STREET A, in the City of CITY, County of COUNTY, State of STATE.

4. At the aforesaid time and place, the Defendant, **Y**, by and through their agents, employees, and/or drivers owed the Plaintiff and others lawfully on the roads a duty to operate their motor vehicle safely and to exercise ordinary care so as to not negligently cause injury to those persons lawfully on the roadway to include the Plaintiff herein, **X**.

5. At the aforesaid time and place, by and through their agent, employee, and/or driver, the Defendant, **Y**, drove their motor vehicle into and collided with the automobile being driven by the Plaintiff, **X**.

6. At the aforesaid time there was in full force and effect the following Illinois Compiled Statute, 2002, 5/11-601(a):

“No vehicle may be driven upon any highway of this State at a speed which is greater than is reasonable and proper with regard to the traffic conditions and the use of the highway, or endangers the safety of any person or property. The fact that the speed of a vehicle does not exceed the applicable maximum speed limit does not relieve the driver from the duty to decrease speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, or when special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions. Speed must be decreased as may be necessary to avoid colliding with any person or vehicle on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.”

7. In breach of their duty of care, by and through their agent, employee, and/or driver, the Defendant, **Y**, was guilty of one or more of the following negligent acts and/or omissions:

- (a) operated, maintained and controlled their motor vehicle without keeping a sufficient look-out ahead for vehicles and persons on the roadway;
- (b) operated, maintained and controlled their motor vehicle in violation of 2002 ILCS 5/11 – 601(a);
- (c) failed to keep their automobile under control at all times;
- (d) failed to slow or stop their automobile to avoid colliding with the automobile being driven by the Plaintiff, **X**;
- (e) was otherwise careless and negligent.

8. As a direct and proximate result of one or more of the foregoing negligent acts or omissions of the Defendant, **Y**, the Plaintiff, **X**, sustained serious and permanent injuries; was required to seek extensive medical consultation and treatment; has expended, and will in the future expend, great sums of money to be healed and cured of her maladies; suffered, and will in

the future continue to suffer, great pain, anguish and physical and mental suffering; and was deprived of earnings to which she might have otherwise been entitled.

WHEREFORE, the Plaintiff, **X**, prays for judgment against the Defendant, **Y**, in such an amount in excess of this Court's jurisdictional requisite as will fairly and adequately compensate the Plaintiff for injuries, losses and damages as herein above alleged, costs of suit, and any further relief which this Honorable Court finds fair and just.

X, Plaintiff

Attorney for Plaintiff

Attorney #
Office Name, Address, Phone

IN THE CIRCUIT COURT OF Z

X,)	
)	
)	Plaintiff,
)	No: _____
vs.)	
)	
)	
Y,)	
)	
)	Defendant.

RULE 222(B) AFFIDAVIT

I, ATTORNEY NAME, being first duly sworn on oath, depose and state that the amount of damages sought in the above-captioned cause of action does not exceed \$ for the Plaintiff.

By: _____
Attorney for Plaintiff

SUBSCRIBED AND SWORN to me before
this ____ day of _____, 2010.

NOTARY PUBLIC

Attorney #
Office Name, Address, Phone