

1 [Firm Name]  
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3 [Firm Email]  
[Attorney Name and Bar Number]  
4 Attorney for Plaintiff(s)

5 [Trial Court System], [County]

6 **[Plaintiff Name(s)],**

7 Plaintiff(s),

8 v.

9 **[Defendant(s)],**

10 Defendant(s).

Case No.

**COMPLAINT**

(Tort – Motor Vehicle)

11 Plaintiffs allege as follows:

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13 1. At all times material hereto, Plaintiff, [Plaintiff Name], resided in  
14 [Plaintiff's County of Residence].

15 2. At all times mentioned herein, all Defendants were acting on behalf of  
16 themselves individually and on behalf, and to benefit, the marital community existing  
17 between them and for a family purpose. Further, the true and correct names of Defendants  
18 and their spouses fictitiously designated will be supplied by later amendment.

19 3. All Defendants named herein were or may have been acting in the course  
20 and scope of employment, or agency, for or on behalf of each other, and/or for or on  
21 behalf of Defendants. Further the true and correct names of Defendants and their  
22 principals fictitiously designated will be supplied by later amendment.

23 4. At all times herein, each Defendant was acting in concert, both as an agent  
24 and a principal, for and on behalf of all the other Defendants, so that the acts of one  
25 Defendant were the acts of all Defendants, thus making all the Defendants jointly and  
26 severally liable.

27 5. Defendants own and/or maintain the property at [Incident Location].  
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1           6.     On or about [Date of Incident], a dangerous condition existed on the  
2 property owned and/or maintained by Defendants at above-named location.

3           7.     Defendants knew or should have known of the existence of the dangerous  
4 condition.

5           8.     Defendants negligently created, allowed to occur, and/or had reason to know  
6 of the dangerous condition which posed hazard to persons such as Plaintiff.

7           9.     Defendants had a duty to protect such persons as Plaintiff from dangers  
8 known to or reasonably discoverable by Defendants, their agents and employees.

9           10.    Defendants and their agents and employees failed to take reasonable  
10 measures to protect such persons as Plaintiff from the harm the hazard presented.

11          11.    As a direct and proximate result of [Defendant's] negligence and/or  
12 negligence *per se* Plaintiff suffered, and continue to suffer, damages including, but not  
13 limited to:

- 14           a.     Physical and emotional injuries, some of which may be permanent;
- 15           b.     Physical and emotional pain, discomfort, suffering, disability,  
16                 disfigurement, and anxiety already experienced and to be experienced in the  
17                 future;
- 18           c.     Loss of enjoyment of life and participation in life's activities to the quality  
19                 and extent normally enjoyed before the accident already experienced and to  
20                 be experienced in the future; and
- 21           d.     General, special, incidental, consequential, consortium, compensatory and  
22                 hedonic damages, the full nature and extent of which are not yet determined,  
23                 including, but not limited to, medical expenses both past and future.

24          12.    As a direct and proximate result of the above, Plaintiffs are entitled to  
25 recover damages from Defendants in an amount to be determined at trial, which is in  
26 excess of the minimum jurisdictional limits of this Court.

27           **Wherefore**, Plaintiffs pray for judgment against Defendants, jointly and  
28 severally, as follows:

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- A. For general, special, incidental, consequential, hedonic, consortium and compensatory damages, as alleged above, in amounts to be proven at trial;
  - B. For costs incurred herein and accruing;
  - C. For interest on the foregoing sums at the statutory rate; and
  - D. For such other and further relief as the Court may deem just and proper.
- Dated this \_\_\_\_ day of \_\_\_\_\_, [year].

[Firm Name]

By \_\_\_\_\_  
[Attorney Name]  
[Attorney Address]  
Attorney for Plaintiff(s)