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<b>NEIL AVADON</b>	*	<b>IN THE</b>
<b>Plaintiff</b>	*	<b>CIRCUIT COURT</b>
<b>v.</b>	*	<b>FOR</b>
<b>RICHARD CROSS</b>	*	<b>HYPOVILLE, CA</b>
<b>Defendant</b>	*	<b>FILE NO. 123456</b>

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**COMPLAINT AND PRAYER FOR JURY TRIAL**

Neil Avadon, Plaintiff, by Ted Hoffman, his attorney, sues the defendant, Richard Cross, and in support, states as follows:

**PREAMBLE**

1. Neil Avadon, Plaintiff, is a resident of California.
2. Richard Cross, Defendant, is a resident of California.
3. The Defendant regularly visits and is engaged in business in Hypoville, California.
4. This action arises from an auto collision which occurred on May 22, 2000, on California Route 15 at Terrace Road. Both are public roads in California.

**STATEMENT OF FACTS**

5. On May 22, 2000, the Plaintiff, Neil Avadon, was carefully and prudently stopped in his motor vehicle on Route 152, when his vehicle was violently struck from behind by the Defendant's vehicle.
6. At the same time, a motor vehicle operated by Richard Cross, Defendant, was traveling, and smashed into the Plaintiff's vehicle, causing the Plaintiff to sustain serious personal injuries.

**COUNT ONE**

Plaintiff, Neil Avadon realleges and incorporates by reference all those facts and allegations in paragraphs 1 through 6 above and further alleges:

7. The collision was caused by the recklessness, carelessness and negligence of the Defendant, Richard Cross, for that among other acts and omissions the Defendant:

a. operated the motor vehicle at a high, dangerous and excessive rate of speed under the circumstances then and there existing;

b. failed to reduce speed to avoid a collision;

c. failed to observe due care and precaution and to maintain proper and adequate control of the motor vehicle;

d. failed to keep a proper lookout for other vehicles lawfully upon the highway;

e. failed to exercise reasonable care in the operation of the motor vehicle under the circumstances then and there existing; and

f. In other respects not now known to the Plaintiff but which may become known Prior to or at the time of trial.

8. As a direct and proximate result of the negligence and carelessness of the Defendant, the Plaintiff:

a. suffered serious, painful and permanent bodily injuries, great physical pain and mental anguish, severe and substantial emotion distress, loss of the capacity for the enjoyment of life;

b. was, is and will be required to undergo medical treatment and to incur medical costs and expenses in order to alleviate injuries, pain and suffering;

c. was, is and will be precluded from engaging in normal activities and pursuits, including a loss of ability to earn money and of actual earnings;

d. and, otherwise was hurt, injured and caused to sustain losses.

9. All of the Plaintiff's losses were, are and will be due solely to and by reason of the carelessness and negligence of the Defendant, Richard Cross, without any negligence or want of due care on the Plaintiff's part contributing thereto.

WHEREFORE, this Plaintiff demands:

- A jury trial to try this action

- A judgment awarding Plaintiff compensatory damages in the amount of FIVE HUNDRED THOUSAND DOLLARS (\$500,000)

- A judgment awarding Plaintiff punitive damages in the amount of ONE MILLION DOLLARS (\$1,000,000)

- Such further relief as the court deems just and proper.

Respectfully submitted,

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Ted Hoffman, Attorney for Plaintiff, Neil Avadon