

**IN THE CIRCUIT COURT OF Z**

<b>X,</b>	)		
	)		
	)	<b>Plaintiff,</b>	No: _____
	)		
<b>vs.</b>	)		
	)		
	)		
<b>Y,</b>	)		
	)		
	)	<b>Defendant.</b>	

**COMPLAINT AT LAW**

NOW COMES the Plaintiff, **X**, by his attorneys, **ATTORNEY’S OFFICE NAME**, and complaining of the Defendant, **Y**, (hereinafter referred to as “**Y**”), states as follows:

1. On and prior to DATE, the Plaintiff, **X**, was a resident in the City of CITY, County of COUNTY, State of STATE.
2. On or about DATE, the Defendant, **Y**, owned, operated, managed and/or maintained or had a duty to own, operate, manage and/or maintain, both individually and by and/or through its agents, servants and/or employees, a certain premise located at ADDRESS OF PREMISES WHERE ACCIDENT OCCURRED.
3. At the aforesaid time and place, the Plaintiff, **X**, was lawfully on said premises.
4. At the aforesaid time and place, the Defendant, **Y**, individually and/or by and through its agents, servants and/or employees maintained the aforementioned premises including the sidewalks, parking lots, entrance and exits to said premises in such a manner where the areas became and/or caused a slip hazard when they accumulated ice and snow.
5. At the aforesaid time and place, as the Plaintiff, **X**, was leaving the premise located at ADDRESS OF PREMISES WHERE ACCIDENT OCCURRED, he was caused to slip

and fall on the ground sustaining severe and permanent injuries.

6. At the aforesaid time and place, the Defendant, **Y**, individually and/or by and through its agents, servants and/or employees, had a duty to maintain the aforementioned premises, including said sidewalks, parking lots, entrances and exits, in a reasonably safe condition for persons lawfully on said premises, to include the Plaintiff herein.

7. At the aforesaid time and place, the Defendant, **Y**, by and through its agents, servants and/or employees, disregarding said duty caused the sidewalks, parking lots, entrance and exits and/or failed to properly maintain, clean, remove, clear the aforementioned sidewalks, parking lots, entrance and exists on the aforementioned premises, allowing and/or causing the sidewalks, parking lots, entrance and exits to accumulate ice and snow so as to render the sidewalks, parking lots, entrance and exits dangerously slippery and unsafe for use, and as a result of this dangerous condition, the Plaintiff slipped and fell.

8. At the aforesaid time and place, the Defendant, **Y**, as the maintainer of the aforementioned premises, either individually or by and through its agents, servants and/or employees acted with less than reasonable care and was then and there guilty of one or more of the following careless and negligent acts and/or omissions:

- a. Improperly operated, managed, maintained and controlled its premises in failing to properly maintain the aforementioned sidewalks, parking lots, entrance and exists on the premises;
- b. Failed to provide slip guards and/or slip resistant surfaces in the aforementioned sidewalks, parking lots, entrance and exists of the premises for an unreasonable length of time.
- c. Failed to warn the Plaintiff and other persons lawfully on said premises of the dangerous condition when Defendants knew or should have known in the exercise of ordinary care that said warning was necessary to prevent injury to the Plaintiff.
- d. Failed to make a reasonable inspection of its premises when it knew or in the exercise of ordinary care should have known that said inspection was necessary to prevent injury to the Plaintiff and others lawfully on said premises.

- e. Allowed the aforementioned premises to remain in a dangerously slippery condition, making the sidewalks, parking lots, entrance and exists unfit for passage, for an unreasonable length of time.
- f. Caused and/or created said unnatural accumulation of ice and/or snow to develop in the course of snow removal and/or application of salt or other substance such that the sidewalks, parking lots, entrance and exists because slippery and/or unsafe for passage for an unreasonable length of time.
- g. Failed to perform snow/ice removal services and/or duties in a manner such as to avoid the creating of an unnatural accumulation of ice and/or snow in the sidewalks, parking lots, entrance and exists.
- h. Failed to perform/provide snow and or ice removal in accordance with any and all written agreements and/or contracts such as to avoid unnatural accumulation of ice and/or snow to develop.
- i. Failed to perform/provide snow and or ice removal in accordance with custom and practice in the industry resulting in snow and or ice accumulating unnaturally at the location of said accident.
- j. Was otherwise careless and negligent in the operation of its premises.

9. 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 severe and permanent injuries; both internally and externally, and was and will be hindered and prevented from attending to his usual duties and affairs of life, and has lost and will in the future lose value of that time as aforementioned.

10. As a direct and proximate result of the aforesaid careless and negligent acts the Plaintiff, **X**, then and there suffered great pain and anguish, both in mind and body and will in the future continue to suffer. The Plaintiff further expended and will expend and become liable for large sums of money for medical care and services endeavoring to become healed and cured of said injuries.

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 his 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

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Attorney for Plaintiff

**Attorney #**  
**Office Name, Address, Phone**

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	)	
	)	<b>Plaintiff,</b>
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<b>vs.</b>	)	<b>No:</b> _____
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	)	
<b>Y,</b>	)	
	)	
	)	<b>Defendant.</b>

**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**