

NEAL HENDRICK AND KATHY STEVENS HENDRICK, HUSBAND AND WIFE, INDIVIDUALLY AND ON BEHALF OF THEIR MINOR CHILDREN, CHANDLER HENDRICK, HUNTER HENDRICK, ALEXANDRA HENDRICK AND GABRIELLA HENDRICK

VERSUS

NATIONAL GENERAL ASSURANCE COMPANY AND VICTOR "VIC" RENO

SUIT NO.: \_\_\_\_\_ DIV. \_\_\_\_\_

571493 SEC 23

19<sup>TH</sup> JUDICIAL DISTRICT COURT

PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

PETITION FOR DAMAGES

**NOW INTO COURT**, through undersigned counsel, come petitioners **NEAL HENDRICK and KATHY STEVENS HENDRICK**, husband and wife, both persons of the full age of majority, individually and on behalf of their minor children, **CHANDLER HENDRICK, HUNTER HENDRICK, ALEXANDRA HENDRICK and GABRIELLA HENDRICK**, appearing in their capacity as the natural parents and administrators of the estates of their minor children, all domiciled in the Parish of East Baton Rouge, State of Louisiana, who respectfully represent:

Made defendants herein are:

- A. **NATIONAL GENERAL ASSURANCE COMPANY**, a foreign insurer authorized to do and doing business in the State of Louisiana; and
- B. **VICTOR "VIC" RENO**, a person of the full age of majority and domiciled in the Parish of East Baton Rouge, State of Louisiana.

2.

On or about January 2, 1993, petitioners Neal Hendrick and Kathy Stevens Hendrick were married and are presently married, having never divorced, and Chandler Hendrick, Hunter Hendrick, Alexandra Hendrick and Gabriella Hendrick are the minor children of petitioners Neal Hendrick and Kathy Stevens Hendrick.

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 19TH JUDICIAL DISTRICT  
 EAST BATON ROUGE PARISH, LA  
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3.

On or about October 9, 2007, petitioner Kathy Stevens Hendrick was operating a 2007 Chevrolet Suburban eastbound on Old Hammond Highway in the Parish of East Baton Rouge, State of Louisiana, when she legally approached Old Hammond Highway's intersection with Dove Hollow Court and while lawfully passing said intersection, her 2007 Chevrolet Suburban was suddenly and violently struck by a 2006 Infiniti G35 that was owned and operated by defendant Victor "Vic" Reno and insured by defendant National General Assurance Company, which vehicle failed to stop at the stop sign at the intersection of Old Hammond Highway and Dove Hollow Court; thus, defendant Victor "Vic" Reno caused the subject wreck and caused the petitioners to suffer personal injuries, damages and other losses.

4.

At all times relevant hereto, petitioners' minor children, Chandler Hendrick, Hunter Hendrick, Alexandra Hendrick and Gabriella Hendrick, were guest passengers in the 2007 Chevrolet Suburban operated by petitioner Kathy Stevens Hendrick.

5.

The sole and proximate cause of the above-described collision was the negligence and/or fault of defendant Victor "Vic" Reno including, but not limited to:

- A. Failing to maintain a proper lookout;
- B. Failing to maintain control of his vehicle;
- C. Driving at an excessive rate of speed under the circumstances;
- D. Failing to act with the required degree of care commensurate with existing driving conditions;
- E. Driving in a generally careless and negligent manner;
- F. Violating Louisiana Revised Statute 32:64 which requires operators to drive in a reasonably prudent manner under the conditions and potential hazards;
- G. Violating Baton Rouge City Ordinance 11:82, which requires operators to obey

traffic control devices;

- H. Negligently entering a favored roadway;
- I. Failing to stop at a stop sign at the intersection of Old Hammond Highway and Dove Hollow Court;
- J. Failing to yield the right-of-way;
- K. Failing to take evasive action to avoid the collision; and
- L. Other acts of negligence and/or fault to be shown more fully at trial of this matter.

6.

At all times relevant hereto, defendant Victor "Vic" Reno was insured under an automobile liability policy of insurance issued by National General Assurance Company, rendering National General Assurance Company solidarily liable for all damages owed to the petitioners in amounts that are reasonable in the premises.

7.

As a result of the above-described collision, petitioner Kathy Stevens Hendricks has suffered injuries, damages and losses, including, but not limited to, mental and physical pain and suffering in connection with serious and permanent injuries to her entire spine, a head injury with memory loss, possible concussion, headaches, eye related problems, and other bodily injuries, as well as past and future medical expenses, loss of earning capacity, lost wages and future loss of wages, and other damages that will be shown more fully at the trial of this matter, for which the defendants are obligated to this petitioner, *in solido*, in amounts that are reasonable in the premises.

8.

As a result of the above-described collision, Chandler Hendrick has suffered injuries, damages and losses, including, but not limited to, mental and physical pain and suffering in connection with injuries to the entire body, including other bodily injuries, as well as past and future medical expenses, and other damages that will be shown more fully at the trial of this matter, for which the defendants are obligated to this petitioner, *in solido*, in amounts that are reasonable in the premises.

9.

As a result of the above-described collision, Hunter Hendrick has suffered injuries, damages and losses, including, but not limited to, mental and physical pain and suffering in connection with injuries to the entire body, including anxiety and experiencing hyper sensitivity when traveling in automobiles, and other bodily injuries, as well as past and future medical expenses, and other damages that will be shown more fully at the trial of this matter, for which the defendants are obligated to this petitioner, *in solido*, in amounts that are reasonable in the premises.

10.

As a result of the above-described collision, Alexandra Hendrick has suffered injuries, damages and losses, including, but not limited to, mental and physical pain and suffering in connection with injuries to the entire body, including other bodily injuries, as well as past and future medical expenses, and other damages that will be shown more fully at the trial of this matter, for which the defendants are obligated to this petitioner, *in solido*, in amounts that are reasonable in the premises.

11.

As a result of the above-described collision, Gabriella Hendrick has suffered injuries, damages and losses, including, but not limited to, mental and physical pain and suffering in connection with injuries to the entire body, including other bodily injuries, as well as past and future medical expenses, and other damages that will be shown more fully at the trial of this matter, for which the defendants are obligated to this petitioner, *in solido*, in amounts that are reasonable in the premises.

12.

As a result of the above-described collision, the petitioners were forced to take time off from work to care for their minor children, including taking their minor children to their health-care providers, which has resulted in the petitioners incurring medical expenses, past and future loss of wages, loss of enjoyment of life, inconvenience and aggravation for which the defendants are obligated to the petitioners, *in solido*, in amounts that are reasonable in the premises.

13.

As a result of the above-described collision, Kathy Stevens Hendrick and her children are entitled to *LeJeune* damages as a result of observing each others' injuries, immediately after the collision, which has caused them to suffer mental anguish and emotional distress as contemplated by Louisiana Civil Code art. 2315.6, and other damages, injuries and losses that may be shown more fully at the trial of this matter, which the defendants are obligated to the petitioners in amounts that are reasonable in the premises.

14.

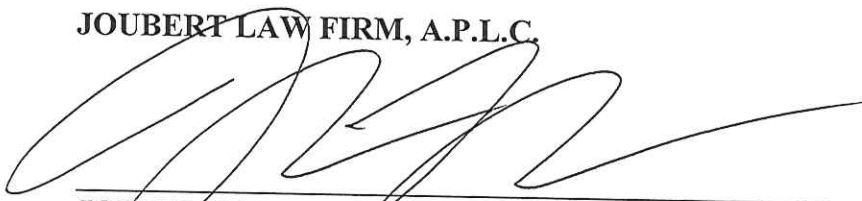
As a result of the above-described collision, and the resulting injuries and damages suffered by the petitioners, each petitioner, including the minor children, have suffered loss of consortium for which each petitioner and minor child are entitled to recover damages from the defendants, *in solido*, in amounts that are reasonable in the premises.

**WHEREFORE**, petitioners **NEAL HENDRICK and KATHY STEVENS HENDRICK, INDIVIDUALLY AND ON BEHALF OF THEIR MINOR CHILDREN, CHANDLER HENDRICK, HUNTER HENDRICK, ALEXANDRA HENDRICK and GABRIELLA HENDRICK**, pray that after all due proceedings are had, judgment be rendered against the defendants, *in solido*, and in their favor awarding all damages, including compensatory damages – special and general damages, that are reasonable in the premises, together with judicial interest, all costs of this proceeding and all relief allowed by law.

Respectfully submitted,

By Attorneys:

**JOUBERT LAW FIRM, A.P.L.C.**



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**JOHN T. JOUBERT, LSBA NO. 25121**  
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**PLEASE SERVE:**

**NATIONAL GENERAL ASSURANCE COMPANY**

through its agent for service of process

Louisiana Secretary of State

Jay Dardenne

8585 Archives Avenue

Baton Rouge, LA 70809

**VICTOR "VIC" RENO**

7767 Dove Haven Court

Baton Rouge, LA 70809

NEAL HENDRICK AND KATHY  
STEVENS HENDRICK, HUSBAND  
AND WIFE, INDIVIDUALLY AND  
ON BEHALF OF THEIR MINOR  
CHILDREN, CHANDLER HENDRICK,  
HUNTER HENDRICK, ALEXANDRA  
HENDRICK AND GABRIELLA HENDRICK

VERSUS

NATIONAL GENERAL ASSURANCE  
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19<sup>TH</sup> JUDICIAL DISTRICT COURT

PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

**REQUEST FOR NOTICE OF TRIAL DATE, ETC.**

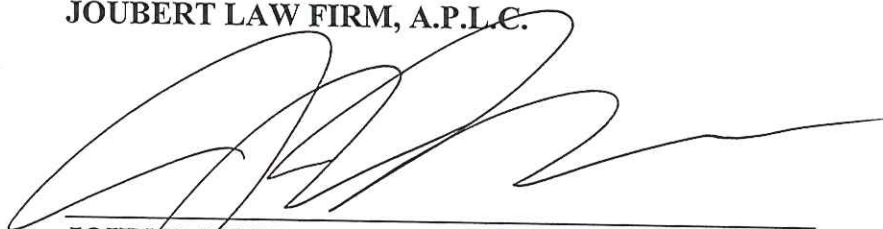
To the Clerk of the 19<sup>th</sup> Judicial District Court, within and for the Parish of East Baton Rouge, State of Louisiana:

PLEASE TAKE NOTICE that John T. Joubert of the Joubert Law Firm, A.P.L.C., does hereby request written notice of the date of the trial of the above matter as well as notice of hearings (whether on merits or otherwise), orders, judgments and interlocutory decrees, and any and all formal steps taken by the parties herein, the Judge or any member of the Court, as provided in Louisiana Code of Civil Procedure, particularly Article 1572, 1913 and 1914.

Respectfully submitted,

By Attorneys:

**JOUBERT LAW FIRM, A.P.L.C.**



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