

Verified Correct Copy of Original 10/18/2017.

FILED
MAR 3 3 2009
IN REGISTER BY KDP

FILED
09 MAR -3 AM 10:04
CIRCUIT COURT
FOR MULTNOMAH COUNTY

IN THE CIRCUIT COURT FOR THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

8	WILLIAM JOHNSON JR,)	Case No.:	0903-03029
9	Plaintiff,)	COMPLAINT- Negligence	03028
10	vs.)	(Jury Trial Requested; Not Subject to	
11	CALEB EMMONS,)	Mandatory Arbitration)	
12	Defendant)		

13 Plaintiff alleges:

JURISDICTION AND VENUE

1. 15

16 Jurisdiction and Venue are appropriate for this Court because Defendant is a
17 resident of Multnomah County, Oregon.

2. 18

19 , Plaintiff is a resident of Oregon.

3. 20

21 This action arises from an auto collision which occurred on May 31, 2007, at
22 Cornelius DEQ Station, Hillsboro, Oregon.

FACTUAL ALLEGATIONS

4. 24

25 On May 31, 2007, Plaintiff, William Johnson Jr., was employed by Beaverton
26 Honda in Beaverton Oregon. Plaintiff was instructed to take a client's car to DEQ for
27

28 COMPLAINT - 1

JAMES S DAVIS ATTORNEY AT LAW P.C
P.O. BOX 7399
SALEM, OR 97303
OFFICE (503)990-0187 FAX (503) 689-1602

1 inspection. Plaintiff proceeded to the Cornelius DEQ Station in Hillsboro, Oregon and
2 while waiting in line for inspection, was violently struck from behind by the
3 Defendant.

4 5.

5 A motor vehicle operated by Defendant entered the line at the Cornelius DEQ
6 Station in Hillsboro, Oregon and smashed into the rear of Plaintiff's stopped vehicle,
7 causing a car accident in which the Plaintiff sustained serious personal injuries.
8

9 FIRST CLAIM-NEGLIGENCE

10 6.

11 Plaintiff realleges paragraphs 1-5.

12 7.

13 The collision was caused by the recklessness, carelessness and/or negligence of
14 the Defendant in one or more of the following particulars:

- 15 A. he operated the motor vehicle at a high, dangerous and excessive rate of
- 16 speed under the circumstances then and there existing;
- 17 B. he failed to reduce speed to avoid a collision;
- 18 C. he failed to maintain proper and adequate control of the motor vehicle;
- 19 D. he failed to keep a proper lookout for other vehicles;
- 20 E. failed to exercise reasonable care in the operation of the motor vehicle
- 21 under the circumstances then and there existing; and
- 22 F. in other respects not now known to the Plaintiff but which may become known,
- 23 prior to, or at the time of trial.

24 ///

25 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

8.

As a direct and proximate result of the negligence of the defendant as described above, the Plaintiff:

A. suffered serious, painful and permanent bodily injuries to his neck, back, and body and continues to suffer physical pain, mental anguish, emotional distress, and loss of the capacity for the enjoyment of life;

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

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

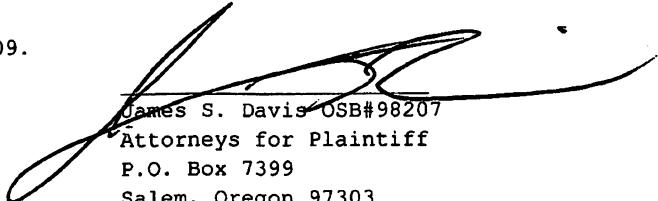
D. And, otherwise was hurt, injured and caused to sustain losses.

9.

The Plaintiff's injuries and losses are due solely to and by the negligence of the Defendant. As a result of Defendant's negligence, Plaintiff has suffered economic damages in the amount of \$500,000 and non-economic damages in an amount not less than \$500,000.

WHEREFORE, Plaintiff prays for judgment in the amount of \$500,000 economic damages and non-economic damages in an amount not less than \$500,000.

DATED this 2nd day of March, 2009.


James S. Davis OSB#98207
Attorneys for Plaintiff
P.O. Box 7399
Salem, Oregon 97303
(503) 990-8187