

IN THE CIRCUIT COURT
TWENTIETH JUDICIAL CIRCUIT
ST. CLAIR COUNTY, ILLINOIS

AARON VAN HORNE,

Plaintiff,

vs.

AUFFENBERG BELLEVILLE, LLC,
AUFFENBERG DEALER GROUP, INC.,
AUFFENBERG FORD, INC., and AUFFENBERG)
MOTORS OF ILLINOIS, INC.,)

Defendants.)

Case No.: **20L0752**

COMPLAINT

COMES NOW the plaintiff Aaron Van Horne by and through his attorneys Cook, Bartholomew, Shevlin, Cook & Jones, LLP and Gregory L. Shevlin and for his complaint against defendants Auffenberg Belleville, LLC, Auffenberg Dealer Group, Inc., Auffenberg Ford, Inc. and Auffenberg Motors of Illinois, Inc. (hereinafter "Auffenberg"), states as follows:

1. On or about October 18, 2018 plaintiff Aaron Van Horne was a resident of Belleville, St. Clair County, Illinois.
2. At said time and place, Ford Motor Company was a manufacturer of automobiles and other vehicles including a 2007 Ford Mustang, VIN #1ZVHT88S37526816.
3. At said time and place defendant Auffenberg was a Ford Dealership in the business of selling, repairing, and performing warranty work on various Ford vehicles, including the aforementioned Mustang, whose principle place of business was Belleville, St. Clair County, Illinois.

4. At said time and place plaintiff was operating his 2007 Ford Mustang on Carlyle Avenue, Belleville, St. Clair County, Illinois.

5. At said time and place, plaintiff was forced off the roadway where he struck the driver's door and front of his vehicle against fixed objects.

6. At said time and place the frontal air bag did not deploy causing plaintiff to strike his head and suffer serious and permanent traumatic brain injuries.

7. Prior to that time, defendants Auffenburg had performed certain warranty work on the vehicle, which included deactivating the air bag system and replacing the passenger air bag assembly.

8. At said time and place and prior thereto defendants Auffenburg by and through their agents, servants or employees committed one or more of the following negligent acts or omissions:

- a. Failed to properly reassemble the air bag system after they deactivated it;
- b. Failed to adequately test the air bag system after they deactivated it and replaced some components;
- c. Returned a vehicle to a customer, the airbag system of which was inoperable; and
- d. Rendered the occupant protection system ineffective when they knew or should have known such presented a danger to others, including plaintiff.

9. That as a direct and proximate result of one or more of the foregoing negligent acts or omissions on the part of the defendant by and through their agents, servants or employees, plaintiff suffered severe and permanently disabling and disfiguring injuries, more specifically to wit: plaintiff suffered injuries to his head including traumatic brain injury, and body as a whole;

that he sustained great pain and mental anguish; plaintiff has lost and in the future will continue to lose, large sums of money due to his inability to pursue his normal gainful occupation; plaintiff has paid or become liable to pay and in the future will continue to pay large sums of money in procuring the necessary hospital and medical treatment; all to the damage of the plaintiff in a sum in excess of FIFTY THOUSAND DOLLARS (\$50,000.00).

WHEREFORE, plaintiff Aaron Van Horne demands judgment against the defendants Auffenberg Belleville, LLC, Auffenberg Dealer Group, Inc., Auffenberg Ford, Inc. and Auffenberg Motors of Illinois, Inc., in a sum in excess of FIFTY THOUSAND DOLLARS (\$50,000.00), plus costs herein expended.

/s/ Gregory L. Shevlin
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