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IRIS Y. MARTINEZ
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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

SOPHIA N. RICCIARDI,)
MICHAL LIZLER, and)
CONNOR J. SULLIVAN)

Plaintiffs,)

v.)

102 W. CHICAGO, LLC;)
FULLER’S REAL ESTATE HOLDINGS,L.L.C.;)
FULLER ADMINISTRATIVE, LLC;)
FULLER’S FAMILY CAR CARE, L.L.C.;)
FULLER’S CAR WASH, INC.;)
FULLER’S CAR WASH EQUIPMENT CO.;)
FULLER’S CAR CARE, INC.;)
FULLER’S SERVICE CENTER, INC.;)
MARTIN CONTRERAS, as father, guardian,)
and next friend of MARTIN CONTRERAS JR.,)
a minor; Individually, and as Agent, Servant and/or)
Employee of 102 W. CHICAGO, LLC;)
FULLER’S REAL ESTATE HOLDINGS, L.L.C.;)
FULLER ADMINISTRATIVE, LLC;)
FULLER’S FAMILY CAR CARE, L.L.C.;)
FULLER’S CAR WASH, INC.;)
FULLER’S CAR WASH EQUIPMENT CO.;)
FULLER’S CAR CARE, INC;)
FULLER’S SERVICE CENTER, INC.)

Defendants.)

No.

JURY DEMAND

COMPLAINT AT LAW

NOW COME the Plaintiffs, SOPHIA N. RICCIARDI, MICHAL LIZLER, and
CONNOR J. SULLIVAN, by and through their attorneys, GWC INJURY LAWYERS, LLC, and
complaining of the above-named Defendants states as follows:

PARTIES, JURISDICTION AND VENUE

1. Plaintiff SOPHIA N. RICCIARDI is and at all times relevant to this matter was a
resident and citizen of the State of Illinois.

2. Plaintiff MICHAL LIZLER is and at all times relevant to this matter was a resident of the State of Illinois.

3. Plaintiff CONNOR J. SULLIVAN is and at all times relevant to this matter was a resident and citizen of the State of Illinois.

4. Defendant MARTIN CONTRERAS, as father, guardian, and next friend of MARTIN CONTRERAS JR. a minor, is and at all times relevant to this matter was a resident and citizen of the State of Illinois.

5. At all relevant times, Defendant, 102 W. CHICAGO LLC, is an Illinois corporation, having their principal place of business located at 102 W. Chicago Ave., Hinsdale, Illinois 60521.

6. At all relevant times, Defendant, FULLER'S REAL ESTATE HOLDINGS, L.L.C., is an Illinois corporation, having their principal place of business located at 102 W. Chicago Ave., Hinsdale, Illinois 60521.

7. At all relevant times, Defendant, FULLER ADMINISTRATIVE, LLC is an Illinois corporation, having their principal place of business located at 102 W. Chicago Ave., Hinsdale, Illinois 60521.

8. At all relevant times, Defendant, FULLER's FAMILY CAR CARE L.L.C., is an Illinois corporation, having their principal place of business located at 11730 Southwest Hwy, Palos Heights, IL 60463.

9. At all relevant times, Defendant, FULLER'S CAR WASH, INC. is an Illinois corporation, having their principal place of business located at 1023 W. 55TH Street STE 110, La Grange, IL 60525.

10. At all relevant times, Defendant, FULLER'S CAR CARE, INC., is an Illinois corporation, having their principal place of business located at 11730 Southwest Hwy, Palos Heights, IL 60463.

11. At all relevant times, Defendant, FULLER'S CAR WASH EQUIPMENT CO. is an Illinois corporation, having their principal place of business located at 9124 W. 47th Street, Brookfield, IL 60513.

12. At all relevant times, Defendant, FULLER'S SERVICE CENTER, INC. is an Illinois corporation, having their principal place of business located at 102 W. Chicago Ave., Hinsdale, Illinois 60521.

FACTS COMMON TO ALL COUNTS

13. Plaintiffs hereby incorporate by reference all of the preceding allegations of the Complaint as if fully set forth herein.

14. That on or about July 17, 2023, Plaintiffs SOPHIA N. RICCIARDI, MICHAL LIZLER, and CONNOR J. SULLIVAN, were lawful patrons dining at Fontano's Subs, located at 9 S Lincoln St, Hinsdale, IL 60521.

15. That at the aforesaid time and place, 102 W. CHICAGO, LLC and/or FULLER'S REAL ESTATE HOLDINGS, L.L.C. and/or FULLER ADMINISTRATIVE, LLC and/or FULLER'S FAMILY CAR CARE, L.L.C. and/or FULLER'S CAR WASH, INC. and/or FULLER'S CAR WASH EQUIPMENT CO. and/or FULLER'S CAR CARE, INC. and/or FULLER'S SERVICE CENTER, INC. (hereinafter, "Fuller Entities"), owned and/or operated a car wash directly across the street from Fontano's Subs, located at 102 W. Chicago Ave., Hinsdale, Illinois 60521, known as Fuller's Car Wash. (See Google Satellite Image)



Google Satellite Image Showing Fuller's Car Wash and Fontano's Subs

16. That at the aforesaid time and place Defendant MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR., was the driver of a 2020 Jeep Wrangler (hereinafter, the "Jeep"), as he was pulling out of the car wash and into the parking lot of his employer, the Fuller Entities.

17. That at the aforesaid time and place, the vehicle operated by Defendant MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR., exited the car wash, drove across the Defendant Fuller Entities' parking lot striking a pedestrian, drove across Lincoln Street, and then crashed into and entered Fontano Sub's Building, striking the Plaintiffs.

18. At all times relevant herein, Defendant MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR., was operating said vehicle in his capacity as an agent, servant and/or employee of Defendant Fuller Entities, namely, 102 W. CHICAGO, LLC and/or FULLER'S REAL ESTATE HOLDINGS, L.L.C. and/or FULLER ADMINISTRATIVE, LLC and/or FULLER'S FAMILY CAR CARE, L.L.C. and/or FULLER'S CAR WASH, INC. and/or FULLER'S CAR WASH EQUIPMENT CO. and/or FULLER'S CAR CARE, INC and/or FULLER'S SERVICE CENTER, INC.

COUNT I | Negligence *Respondeat Superior*

Sophia N. Ricciardi v. 102 W. CHICAGO, LLC, FULLER'S REAL ESTATE HOLDINGS, L.L.C., FULLER ADMINISTRATIVE, LLC, FULLER'S FAMILY CAR CARE, L.L.C., FULLER'S CAR WASH, INC., FULLER'S CAR WASH EQUIPMENT CO., FULLER'S CAR CARE, INC., FULLER'S SERVICE CENTER, INC.

19. Plaintiffs hereby incorporate by reference all of the preceding allegations of the Complaint as if fully set forth herein.

20. On July 17, 2023, and at the time of the Collision, Defendant MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR., was an employee and agent of Defendant Fuller Entities, namely, 102 W. CHICAGO, LLC and/or FULLER'S REAL ESTATE HOLDINGS, L.L.C. and/or FULLER ADMINISTRATIVE, LLC and/or FULLER'S FAMILY CAR CARE, L.L.C. and/or FULLER'S CAR WASH, INC. and/or FULLER'S CAR WASH EQUIPMENT CO. and/or FULLER'S CAR CARE, INC., and/or FULLER'S SERVICE CENTER, INC.

21. At all times relevant herein, Defendant MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR., was acting in the course and scope of his employment with the business enterprises owned and/or operated by the Defendant Fuller Entities.

22. At all times relevant herein, Defendant MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR., was operating the Jeep in furtherance of the Defendant Fuller Entities' business interests.

23. Defendant MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR.'s negligence in operating the Jeep was a direct and proximate cause of the Collision.

24. As a result of the negligence of Defendant MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR., while operating the Jeep within the scope and course of his employment with the Defendant Fuller Entities, and in furtherance of their businesses interests, the Defendant Fuller Entities, and each of them, are vicariously liable for Defendant MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR.'s negligence and the damages sustained by Plaintiffs.

25. On or about July 17, 2023, and at all times relevant herein, Defendant Fuller Entities individually, and as principal and employer of MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR, failed to exercise reasonable care by committing one or more of the following acts or omissions:

- (a) Carelessly and negligently operated and controlled said motor vehicle;
- (b) Carelessly and negligently failed to exercise that degree of care and caution that a reasonable person under similar circumstances would have exercised in the operation of said motor vehicle;
- (c) Carelessly and negligently failed to keep an adequate, or any, lookout during the operation of said motor vehicle;
- (d) Carelessly and negligently operated and controlled said motor vehicle at a speed that was greater than was reasonable having regard for the traffic in violation of 625 ILCS 5/11-601.
- (e) Carelessly and negligently failed to give audible warning with his horn, when such warning was reasonable and necessary, in violation of 625 ILCS 5/12-601;
- (f) Carelessly and negligently failed to change the course of said motor vehicle so as to avoid striking Plaintiff;
- (g) Carelessly and Negligently operated a motor vehicle in a reckless manner, in violation of 625 ILCS 5/11-503;
- (h) Carelessly and negligently failed to stop on a signal and yield right of way to a pedestrian, in violation of 625 ILCS 5/11-903;
- (i) Carelessly and negligently operated and controlled said motor vehicle with a willful and wanton disregard for the safety of others, in violation of 625 ILCS 5/11-503(a);
- (j) Failed to provide adequate training, instruction and experience to Defendant, MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR., so that he could operate said vehicle in a reasonably safe manner so as not to cause injury to others;
- (k) Failed to prohibit the use of the car wash by vehicles known to have a risk and/or propensity to encounter sudden acceleration events;
- (l) Caused and permitted an inexperienced employee to operate the subject Jeep vehicle when the Defendant Fuller Entities knew, or in the exercise of ordinary

care should have known, that Jeep vehicles have a history of sudden accelerations events.

26. That one or more of the aforesaid careless acts and negligent acts and/or omissions of the Defendants, and each of them, was a proximate cause of the collision and of the injuries sustained by the Plaintiff, SOPHIA N. RICCIARDI, which are of physical, personal, emotional, and pecuniary nature.

27. That as a further direct and proximate result of the aforementioned negligent acts and/or omissions of the Defendants, and each of them, the Plaintiff sustained severe and permanent injuries, both internally and externally, and was and will be hindered and prevented from attending to her usual duties and affairs and has lost and will in the future lose the value of that time as aforementioned. Plaintiff also sustained great pain and anguish, both in mind and body, and will in the future continue to suffer. Plaintiff further expended and became liable for, 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, Plaintiff, SOPHIA N. RICCIARDI demands judgment against the Defendants, 102 W. CHICAGO, LLC, FULLER'S REAL ESTATE HOLDINGS, L.L.C., FULLER ADMINISTRATIVE, LLC, FULLER'S FAMILY CAR CARE, L.L.C., FULLER'S CAR WASH, INC., FULLER'S CAR WASH EQUIPMENT CO., FULLER'S CAR CARE, INC., FULLER'S SERVICE CENTER, INC., and each of them, for a sum in excess of \$50,000.00, plus the costs of this action, and all other damages recoverable by law.

COUNT II | Negligence *Respondeat Superior*

**Michal Lizler v. 102 W. CHICAGO, LLC, FULLER'S REAL ESTATE HOLDINGS, L.L.C.,
FULLER ADMINISTRATIVE, LLC, FULLER'S FAMILY CAR CARE, L.L.C.,
FULLER'S CAR WASH, INC., FULLER'S CAR WASH EQUIPMENT CO., FULLER'S
CAR CARE, INC., FULLER'S SERVICE CENTER, INC.**

28. Plaintiffs hereby incorporate by reference all of the preceding allegations of the Complaint as if fully set forth herein.

29. On July 17, 2023, and at the time of the Collision, Defendant MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR., was an employee and agent of Defendant Fuller Entities, namely, 102 W. CHICAGO, LLC and/or FULLER'S REAL ESTATE HOLDINGS, L.L.C. and/or FULLER ADMINISTRATIVE, LLC and/or FULLER'S FAMILY CAR CARE, L.L.C. and/or FULLER'S CAR WASH, INC. and/or FULLER'S CAR WASH EQUIPMENT CO. and/or FULLER'S CAR CARE, INC., and/or FULLER'S SERVICE CENTER, INC.

30. At all times relevant herein, Defendant MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR., was acting in the course and scope of his employment with the business enterprises owned and/or operated by the Defendant Fuller Entities.

31. At all times relevant herein, Defendant MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR., was operating the Jeep in furtherance of the Defendant Fuller Entities' business interests.

32. Defendant MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR.'s negligence in operating the Jeep was a direct and proximate cause of the Collision.

33. As a result of the negligence of Defendant MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR., while operating the Jeep within the scope and course of his employment with the Defendant Fuller Entities, and in furtherance of their businesses interests, the Defendant Fuller Entities, and each of them, are vicariously liable for Defendant MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR.'s negligence and the damages sustained by Plaintiffs.

34. On or about July 17, 2023, and at all times relevant herein, Defendant Fuller Entities individually, and as principal and employer of MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR, failed to exercise reasonable care by committing one or more of the following acts or omissions:

- (a) Carelessly and negligently operated and controlled said motor vehicle;
- (b) Carelessly and negligently failed to exercise that degree of care and caution that a reasonable person under similar circumstances would have exercised in the operation of said motor vehicle;
- (c) Carelessly and negligently failed to keep an adequate, or any, lookout during the operation of said motor vehicle;
- (d) Carelessly and negligently operated and controlled said motor vehicle at a speed that was greater than was reasonable having regard for the traffic in violation of 625 ILCS 5/11-601.
- (e) Carelessly and negligently failed to give audible warning with his horn, when such warning was reasonable and necessary, in violation of 625 ILCS 5/12-601;
- (f) Carelessly and negligently failed to change the course of said motor vehicle so as to avoid striking Plaintiff;
- (g) Carelessly and Negligently operated a motor vehicle in a reckless manner, in violation of 625 ILCS 5/11-503;
- (h) Carelessly and negligently failed to stop on a signal and yield right of way to a pedestrian, in violation of 625 ILCS 5/11-903;
- (i) Carelessly and negligently operated and controlled said motor vehicle with a willful and wanton disregard for the safety of others, in violation of 625 ILCS 5/11-503(a);
- (j) Failed to provide adequate training, instruction and experience to Defendant, MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR., so that he could operate said vehicle in a reasonably safe manner so as not to cause injury to others;
- (k) Failed to prohibit the use of the car wash by vehicles known to have a risk and/or propensity to encounter sudden acceleration events;
- (l) Caused and permitted an inexperienced employee to operate the subject Jeep vehicle when the Defendant Fuller Entities knew, or in the exercise of ordinary

care should have known, that Jeep vehicles have a history of sudden accelerations events.

35. That one or more of the aforesaid careless and negligent acts and/or omissions of the Defendants, and each of them, was a proximate cause of the collision and of the injuries sustained by the Plaintiff, MICHAL LIZLER, which are of physical, personal, emotional, and pecuniary nature.

36. That as a further direct and proximate result of the aforementioned negligent acts and/or omissions of the Defendants, and each of them, the Plaintiff 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 and has lost and will in the future lose the value of that time as aforementioned. Plaintiff also sustained great pain and anguish, both in mind and body, and will in the future continue to suffer. Plaintiff further expended and became liable for, 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, Plaintiff, MICHAL LIZLER demands judgment against the Defendants, 102 W. CHICAGO, LLC, FULLER'S REAL ESTATE HOLDINGS, L.L.C., FULLER ADMINISTRATIVE, LLC, FULLER'S FAMILY CAR CARE, L.L.C., FULLER'S CAR WASH, INC., FULLER'S CAR WASH EQUIPMENT CO., FULLER'S CAR CARE, INC., FULLER'S SERVICE CENTER, INC., and each of them, for a sum in excess of \$50,000.00, plus the costs of this action, and all other damages recoverable by law.

COUNT III | Negligence *Respondeat Superior*

Connor J. Sullivan v. 102 W. CHICAGO, LLC, FULLER'S REAL ESTATE HOLDINGS, L.L.C., FULLER ADMINISTRATIVE, LLC, FULLER'S FAMILY CAR CARE, L.L.C., FULLER'S CAR WASH, INC., FULLER'S CAR WASH EQUIPMENT CO., FULLER'S CAR CARE, INC., FULLER'S SERVICE CENTER, INC.

37. Plaintiffs hereby incorporate by reference all of the preceding allegations of the Complaint as if fully set forth herein.

38. On July 17, 2023, and at the time of the Collision, Defendant MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR., was an employee and agent of Defendant Fuller Entities, namely, 102 W. CHICAGO, LLC and/or FULLER'S REAL ESTATE HOLDINGS, L.L.C. and/or FULLER ADMINISTRATIVE, LLC and/or FULLER'S FAMILY CAR CARE, L.L.C. and/or FULLER'S CAR WASH, INC. and/or FULLER'S CAR WASH EQUIPMENT CO. and/or FULLER'S CAR CARE, INC., and/or FULLER'S SERVICE CENTER, INC.

39. At all times relevant herein, Defendant MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR., was acting in the course and scope of his employment with the business enterprises owned and/or operated by the Defendant Fuller Entities.

40. At all times relevant herein, Defendant MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR., was operating the Jeep in furtherance of the Defendant Fuller Entities' business interests.

41. Defendant MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR.'s negligence in operating the Jeep was a direct and proximate cause of the Collision.

42. As a result of the negligence of Defendant MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR., while operating the Jeep within the scope and course of his employment with the Defendant Fuller Entities, and in furtherance of their businesses interests, the Defendant Fuller Entities, and each of them, are vicariously liable for Defendant MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR.'s negligence and the damages sustained by Plaintiffs.

43. On or about July 17, 2023, and at all times relevant herein, Defendant Fuller Entities individually, and as principal and employer of MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR, failed to exercise reasonable care by committing one or more of the following acts or omissions:

- (a) Carelessly and negligently operated and controlled said motor vehicle;

- (b) Carelessly and negligently failed to exercise that degree of care and caution that a reasonable person under similar circumstances would have exercised in the operation of said motor vehicle;
- (c) Carelessly and negligently failed to keep an adequate, or any, lookout during the operation of said motor vehicle;
- (d) Carelessly and negligently operated and controlled said motor vehicle at a speed that was greater than was reasonable having regard for the traffic in violation of 625 ILCS 5/11-601.
- (e) Carelessly and negligently failed to give audible warning with his horn, when such warning was reasonable and necessary, in violation of 625 ILCS 5/12-601;
- (f) Carelessly and negligently failed to change the course of said motor vehicle so as to avoid striking Plaintiff;
- (g) Carelessly and Negligently operated a motor vehicle in a reckless manner, in violation of 625 ILCS 5/11-503;
- (h) Carelessly and negligently failed to stop on a signal and yield right of way to a pedestrian, in violation of 625 ILCS 5/11-903;
- (i) Carelessly and negligently operated and controlled said motor vehicle with a willful and wanton disregard for the safety of others, in violation of 625 ILCS 5/11-503(a);
- (j) Failed to provide adequate training, instruction and experience to Defendant, MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR., so that he could operate said vehicle in a reasonably safe manner so as not to cause injury to others;
- (k) Failed to prohibit the use of the car wash by vehicles known to have a risk and/or propensity to encounter sudden acceleration events;
- (l) Caused and permitted an inexperienced employee to operate the subject Jeep vehicle when the Defendant Fuller Entities knew, or in the exercise of ordinary care should have known, that Jeep vehicles have a history of sudden accelerations events.

44. That one or more of the aforesaid careless and negligent acts and/or omissions of the Defendants, and each of them, was a proximate cause of the collision and of the injuries sustained by

the Plaintiff, CONNOR J. SULLIVAN, which are of physical, personal, emotional, and pecuniary nature.

45. That as a further direct and proximate result of the aforementioned negligent acts and/or omissions of the Defendants, and each of them, the Plaintiff sustained severe and permanent injuries, both internally and externally, and was and will be hindered and prevented from attending to her usual duties and affairs and has lost and will in the future lose the value of that time as aforementioned. Plaintiff also sustained great pain and anguish, both in mind and body, and will in the future continue to suffer. Plaintiff further expended and became liable for, 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, Plaintiff, CONNOR J. SULLIVAN demands judgment against the Defendants, 102 W. CHICAGO, LLC, FULLER'S REAL ESTATE HOLDINGS, L.L.C., FULLER ADMINISTRATIVE, LLC, FULLER'S FAMILY CAR CARE, L.L.C., FULLER'S CAR WASH, INC., FULLER'S CAR WASH EQUIPMENT CO., FULLER'S CAR CARE, INC., FULLER'S SERVICE CENTER, INC., and each of them, for a sum in excess of \$50,000.00, plus the costs of this action, and all other damages recoverable by law.

COUNT IV | Negligence

**Sophia Ricciardi v. Martin Contreras, as parent, guardian, and next friend of
Martin Contreras Jr., a minor**

46. Plaintiffs hereby incorporate by reference all of the preceding allegations of the Complaint as if fully set forth herein.

47. That at the aforesaid time and place, Defendant MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR., had the duty to operate said motor vehicle in a reasonably safe manner and to exercise ordinary care and caution so as not to cause injury to others, specifically the plaintiff.

48. That the Defendant MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR., then and there committed of one or more of the following careless and negligent acts and/or omissions:

- (a) Carelessly and negligently operated and controlled said motor vehicle;
- (b) Carelessly and negligently failed to exercise that degree of care and caution that a reasonable person under similar circumstances would have exercised in the operation of said motor vehicle;
- (c) Carelessly and negligently failed to keep an adequate, or any, lookout during the operation of said motor vehicle;
- (d) Carelessly and negligently operated and controlled said motor vehicle at a speed that was greater than was reasonable having regard for the traffic in violation of 625 ILCS 5/11-601.
- (e) Carelessly and negligently failed to give audible warning with his horn, when such warning was reasonable and necessary, in violation of 625 ILCS 5/12-601;
- (f) Carelessly and negligently failed to change the course of said motor vehicle so as to avoid striking Plaintiff;
- (g) Carelessly and Negligently operated a motor vehicle in a reckless manner, in violation of 625 ILCS 5/11-503;
- (h) Carelessly and negligently failed to stop on a signal and yield right of way to a pedestrian, in violation of 625 ILCS 5/11-903;
- (i) Carelessly and negligently operated and controlled said motor vehicle with a willful and wanton disregard for the safety of others, in violation of 625 ILCS 5/11-503(a).

49. That one or more of the aforesaid careless and negligent acts and or/ omissions of the Defendant was a proximate cause of the collision and the injuries hereafter stated which are of a physical, personal, emotional, and pecuniary nature.

50. That as a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant, Plaintiff, SOPHIA N. RICCIARDI, sustained severe and permanent injuries both externally and internally, and was and will be hindered and prevented from attending to her usual duties and affairs, and has lost and will in the future lose the

value of that as aforementioned. Plaintiff also suffered great pain and anguish, both in mind and body, and will in the future continue to suffer. Plaintiff further expended and became liable for, 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, Plaintiff, SOPHIA N. RICCIARDI, prays for a judgment in her favor and against the Defendant, MARTIN CONTRERAS as parent, guardian, and next friend of MARTIN CONTRERAS JR., a minor, in a sum in excess of FIFTY THOUSAND (\$50,000) DOLLARS, plus the costs of this suit.

COUNT V | Negligence

**Michal Lizler v. Martin Contreras, as parent, guardian, and next friend of
Martin Contreras Jr., a minor**

51. Plaintiffs hereby incorporate by reference all of the preceding allegations of the Complaint as if fully set forth herein.

52. That at the aforesaid time and place, Defendant MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR., had the duty to operate said motor vehicle in a reasonably safe manner and to exercise ordinary care and caution so as not to cause injury to others, specifically the plaintiff.

53. That the Defendant MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR., then and there committed of one or more of the following careless and negligent acts and/or omissions:

- (a) Carelessly and negligently operated and controlled said motor vehicle;
- (b) Carelessly and negligently failed to exercise that degree of care and caution that a reasonable person under similar circumstances would have exercised in the operation of said motor vehicle;
- (c) Carelessly and negligently failed to keep an adequate, or any, lookout during the operation of said motor vehicle;
- (d) Carelessly and negligently operated and controlled said motor vehicle at a speed that was greater than was reasonable having regard for the traffic in violation of 625 ILCS 5/11-601.

- (e) Carelessly and negligently failed to give audible warning with his horn, when such warning was reasonable and necessary, in violation of 625 ILCS 5/12-601;
- (f) Carelessly and negligently failed to change the course of said motor vehicle so as to avoid striking Plaintiff;
- (g) Carelessly and Negligently operated a motor vehicle in a reckless manner, in violation of 625 ILCS 5/11-503;
- (h) Carelessly and negligently failed to stop on a signal and yield right of way to a pedestrian, in violation of 625 ILCS 5/11-903;
- (i) Carelessly and negligently operated and controlled said motor vehicle with a willful and wanton disregard for the safety of others, in violation of 625 ILCS 5/11-503(a).

54. That one or more of the aforesaid careless acts and negligent acts and or/ omissions of the Defendant was a proximate cause of the collision and the injuries hereafter stated which are of a physical, personal, emotional, and pecuniary nature.

55. That as a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant, Plaintiff, MICHAL LIZLER, sustained severe and permanent injuries both externally and internally, and was and will be hindered and prevented from attending to his usual duties and affairs, and has lost and will in the future lose the value of that as aforementioned. Plaintiff also suffered great pain and anguish, both in mind and body, and will in the future continue to suffer. Plaintiff further expended and became liable for, 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, Plaintiff, MICHAL LIZLER, prays for a judgment in his favor and against the Defendant, MARTIN CONTRERAS as parent, guardian, and next friend of MARTIN CONTRERAS JR., a minor, in a sum in excess of FIFTY THOUSAND (\$50,000) DOLLARS, plus the costs of this suit.

COUNT VI | Negligence**Connor J. Sullivan v. Martin Contreras, as parent, guardian, and next friend of
Martin Contreras Jr., a minor**

56. Plaintiffs hereby incorporate by reference all of the preceding allegations of the Complaint as if fully set forth herein.

57. That at the aforesaid time and place, Defendant MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR., had the duty to operate said motor vehicle in a reasonably safe manner and to exercise ordinary care and caution so as not to cause injury to others, specifically the plaintiff.

58. That the Defendant MARTIN CONTRERAS's minor, MARTIN CONTRERAS JR., then and there committed of one or more of the following careless and negligent acts and/or omissions:

- (a) Carelessly and negligently operated and controlled said motor vehicle;
- (b) Carelessly and negligently failed to exercise that degree of care and caution that a reasonable person under similar circumstances would have exercised in the operation of said motor vehicle;
- (c) Carelessly and negligently failed to keep an adequate, or any, lookout during the operation of said motor vehicle;
- (d) Carelessly and negligently operated and controlled said motor vehicle at a speed that was greater than was reasonable having regard for the traffic in violation of 625 ILCS 5/11-601.
- (e) Carelessly and negligently failed to give audible warning with his horn, when such warning was reasonable and necessary, in violation of 625 ILCS 5/12-601;
- (f) Carelessly and negligently failed to change the course of said motor vehicle so as to avoid striking Plaintiff;
- (g) Carelessly and Negligently operated a motor vehicle in a reckless manner, in violation of 625 ILCS 5/11-503;
- (h) Carelessly and negligently failed to stop on a signal and yield right of way to a pedestrian, in violation of 625 ILCS 5/11-903;
- (i) Carelessly and negligently operated and controlled said motor vehicle with a willful and wanton disregard for the safety of others, in violation of 625 ILCS 5/11-503(a).

59. That one or more of the aforesaid careless acts and negligent acts and or/ omissions of the Defendant was a proximate cause of the collision and the injuries hereafter stated which are of a physical, personal, emotional, and pecuniary nature.

60. That as a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant, Plaintiff, CONNOR J. SULLIVAN, sustained severe and permanent injuries both externally and internally, and was and will be hindered and prevented from attending to his usual duties and affairs, and has lost and will in the future lose the value of that as aforementioned. Plaintiff also suffered great pain and anguish, both in mind and body, and will in the future continue to suffer. Plaintiff further expended and became liable for, 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, Plaintiff, CONNOR J. SULLIVAN, prays for a judgment in his favor and against the Defendant MARTIN CONTRERAS as parent, guardian, and next friend of MARTIN CONTRERAS JR., a minor, in a sum in excess of FIFTY THOUSAND (\$50,000) DOLLARS, plus the costs of this suit.

Respectfully submitted,
GWC Injury Lawyers, LLC



Louis C. Cairo – Attorney for Plaintiffs

/s/ Allison L. Dolan

Allison L. Dolan – Attorney for Plaintiffs

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