

Reset



COMMON PLEAS COURT CUYAHOGA COUNTY, OHIO

DESIGNATION FORM TO BE USED TO INDICATE THE CLASSIFICATION OF THE CAUSE

Judge: STUART A FRIEDMAN

Ethel Menning
Plaintiff

vs.

CV 10 724283

City of Lakewood
Defendant

Has this case been previously filed & dismissed? Yes No

Case #: _____ Judge: _____

Is this case related to any cases now pending or previously filed Yes No

Case #: _____ Judge: _____

CIVIL CLASSIFICATIONS: Place an (X) in ONE Classification Only.

Professional Torts:

- 1311 Medical Malpractice
- 1315 Dental Malpractice
- 1316 Optometric Malpractice
- 1317 Chiropractic Malpractice
- 1312 Legal Malpractice
- 1313 Other Malpractice

Product Liability:

- 1330 Product Liability

Other Torts:

- 1310 Motor Vehicle Accident
- 1314 Consumer Action
- 1350 Misc Tort

Workers Compensation:

- 1550 Workers Compensation
- 1531 Workers Comp. Asbestos

Foreclosures:

Utilize Separate Foreclosure Designation Form

Commercial Docket:

- 1386 (Temp.Sup.R. 1.03)

Administrative Appeals:

- 1540 Employment Services
- 1551 Other

Other Civil:

- 1500 Replevin/Attachment
- 1382 Business Contract
- 1384 Real Estate Contract
- 1390 Cognovit Contract
- 1391 Other Contract
- 1490 Foreign Judgement
- 1491 Stalking Civil Protection Order
- 1501 Misc Other
- 1502 Petition to contest Adam Walsh Act

Amount of Controversy:

- None Stated
- Less than \$25,000
- Prayer Amount _____

Parties have previously attempted one of the following prior to filing:

- Arbitration
- Early Neutral Evaluation
- Mediation
- None

I certify that to the best of my knowledge the within case is not related to any now pending or previously filed, except as noted above.

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IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

ETHEL MENNING)
1079 HARWICH COURT)
ROCKY RIVER, OHIO 44116)

Plaintiff)

vs.)

CITY OF LAKEWOOD)
12650 DETROIT AVENUE)
LAKEWOOD, OHIO 44107)

and)

JILL E. HALEY)
18620 FOWLES ROAD)
MIDDLEBURG HEIGHTS, OHIO 44130)

CASE NO.:

JUDGE:

Complaint
STUART A FRIEDMAN
CV 10 724283

COMPLAINT

(Jury Demanded Requested)

\$100.00 DEPOSITED
4936
APR 15 2010
SECURE COSTS
GERALD E. PERST, Clerk of Courts
PER <i>AA</i> DEPUTY

Now comes the Plaintiff, Ethel Menning, and for her Complaint alleges and avers as follows:

1. Plaintiff, Ethel Menning, was at all times relevant to this action, a resident of the City of Rocky River, County of Cuyahoga, and State of Ohio.
2. Defendant, City of Lakewood, was at all times relevant to this action, a duly incorporated and chartered municipal corporation with its head of government in the City of Lakewood, County of Cuyahoga and State of Ohio.
3. Defendant, Jill E. Haley, was at all times relevant to this action, a resident of the City of Middleburg Heights, County of Cuyahoga and State of Ohio.

4. The event out of which this action arises took place within the City of Lakewood, County of Cuyahoga, and State of Ohio.

CAUSE OF ACTION

5. On or about April 16, 2008 at approximately 7:30 a.m., Plaintiff, Ethel Menning, was driving her vehicle southbound on Cook Avenue, in the City of Lakewood, the County of Cuyahoga, State of Ohio.

6. As Plaintiff was stopped waiting for the refuse vehicle in front of her to proceed, the Defendant, Jill E. Haley, negligently, recklessly and without warning put the vehicle in reverse and backed the refuse truck which she was driving into the front of Plaintiff's vehicle.

7. At the time of said collision, Defendant Jill E. Haley, was operating a vehicle owned by Defendant City of Lakewood, and did so in the ordinary course and scope of her employment with the City, and had been negligently entrusted with said vehicle.

8. As a direct and proximate result of Defendants' negligence and recklessness, Plaintiff suffered numerous internal injuries and to her back, neck, head, shoulders, knees, legs and other parts of her body in addition to suffering great pain to her mind and body.

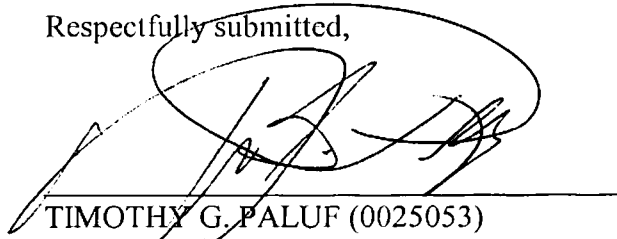
9. As a direct proximate result of Defendants' negligence and recklessness, Plaintiff incurred medical expenses.

10. As a direct and proximate result of Defendants' negligence and recklessness, Plaintiff was disrupted from her usual course of business and employment sustaining a loss of wage earnings, her usual and customary endeavors, and from her usual engagement in recreational activities which she enjoyed prior to the accident.

11. Plaintiff, Ethel Menning, has been damaged in an amount exceeding Twenty-Five Thousand Dollars (\$25,000.00); as compensatory damages together with costs herein and any other damages that this court deems reasonable.

WHEREFORE, Plaintiff, Ethel Menning, prays for a judgment against the Defendants, jointly and severally, on the within cause of action for compensatory damages in an amount in excess of Twenty Five Thousand Dollars (\$25,000.00) together with costs, interest and any equitable relief this Court deems just.

Respectfully submitted,

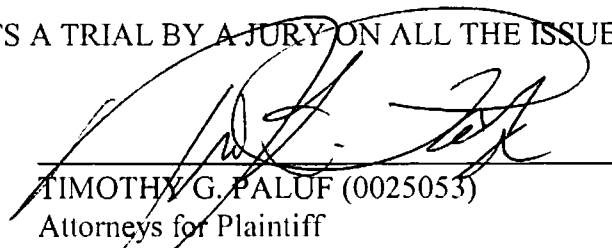


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Attorney for Plaintiff

JURY DEMAND

PLAINTIFF HEREBY REQUESTS A TRIAL BY A JURY ON ALL THE ISSUES IN THIS ACTION.



TIMOTHY G. PALUF (0025053)
Attorneys for Plaintiff