

Complaint- Verified (This form replaces CCMI>-8A)

CCM N008-50M-2/25/05 ()

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

(Name of Plaintiff)

V.

No. _____

Contract _____

Amount Claimed \$ _____

Return Date _____

(Name of Defendants)

COMPLAINT

The Plaintiff claims as follows:

1. Plaintiff _____ (*Name of Plaintiff*) is, and at all times mentioned in this Complaint was, a resident of _____

_ (*street address, city, county, state, zip code*).

2. Defendant-Employee _____ (*Name of Defendant-Employee*) is, and at all times mentioned in this Complaint was, a resident of _____

_ (*street address, city, county, state, zip code*).

3. Defendant-Owner _____ (*Name of Defendant-Owner*) is, and at all times mentioned in this Complaint was, a resident of _____

_ (*street address, city, county, state, zip code*).

4. At all times mentioned, *Defendant-Owner* owned, managed, and operated an automobile repair garage known as _____ (*Name*) located at _____

_ (*street address, city, county, state, zip code*). In connection with the operation of hi garage, *Defendant-Owner* operated and maintained a number of tow trucks for the towing of customers' disabled automobiles.

5. At all times mentioned, *Defendant-Employee* was employed by *Defendant-Owner* as a mechanic and tow truck operator and, in doing the things alleged in this Complaint, was acting within the course and scope of that employment.

6. At all times mentioned, Plaintiff was the owner of a (*describe automobile, giving year, make, and model, serial number, license number*) _____

_.

7. On _____ (*date*), at _____ (*time*), Plaintiff was driving Plaintiff's automobile on _____ (*road*) in _____

_ (*Name of City, County*), when suddenly and without warning it stopped running. Plaintiff telephoned *Defendant-Owner* and requested that *Defendant-Owner* send a tow truck to tow Plaintiff's automobile to *Defendant-Owner's* garage for repairs. In response, *Defendant-Owner* dispatched *Defendant-Employee* to tow Plaintiff's automobile.

8. On arrival at Plaintiff's location, *Defendant-Employee* connected the tow truck lifting device to Plaintiff's automobile and towed the automobile to *Defendant-Owner*. When *Defendant-Employee* and Plaintiff arrived at *Defendant-Owner's* garage, Plaintiff discovered that Plaintiff's automobile had sustained the following damage while being towed to the garage: **(describe damage)**

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9. Defendants, in undertaking to tow Plaintiff's automobile to *Defendant-Owner's* garage, owed to Plaintiff a duty to exercise due care in doing so.

10. Defendants, in breach of the duty described above, negligently and carelessly **(describe negligent conduct)** _____

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11. As a direct and proximate result of the negligence and carelessness of Defendants, Plaintiff's automobile was damaged as described above.

12. As a further direct and proximate result of the negligence and carelessness of Defendants as described above, Plaintiff was required to expend the sum of \$_____ in repairing Plaintiff's automobile; lost the use of Plaintiff's automobile for a period of _____ **(number)** weeks; and was required to expend the sum of \$_____ for alternate transportation during the time Plaintiff's automobile was being repaired, all to Plaintiff's damage in the sum of \$_____.

Wherefore, Plaintiff requests that the court:

1. Award Plaintiff damages in the sum of \$_____;
2. Award Plaintiff the costs of this action; and
3. Award Plaintiff any other and further relief that the court considers proper.

Respectfully submitted,

— ***Name and Signature of Plaintiff***

I, _____ **(Name of Plaintiff)**, certify that I am the Plaintiff in the above entitled action. The allegations in this Complaint are true.

Pro Se Plaintiff:

Name: _____

Address: _____

City/State/Zip: _____

Date: _____

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Name and Signature of Plaintiff

_____ Under penalties as provided by law pursuant to 735 ILCS 5/1-109 the above signed certifies that the statements set forth herein are true and correct.
