

JOHN LAWYER, ESQ.
12 MAIN STREET
ANYWHERE, USA

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JANE DOE AND JOHN DOE

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: [insert] COUNTY
DOCKET NO.

Plaintiffs,

Civil Action

vs.

ABC INC. d/b/a 123
DINER; XYZ CORPORATION
(a fictitious name); JOHN DOES
1-5 and JOHN DOE COMPANIES 1-5
(names being fictitious),

**COMPLAINT, JURY DEMAND AND
TRIAL DESIGNATION**

Defendants.

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Plaintiffs, Jane Doe and John Doe, residing at [insert address], by way of complaint
against the Defendants allege and say:

FIRST COUNT

1. On or about [insert date], Plaintiff, Jane Doe was a patron in the restaurant 123 Diner owned and operated by Defendant ABC, Inc., located on [insert address].
2. XYZ Corporation is a fictitious name and is named in the event that the proper name of the corporation owning and operating the aforesaid restaurant is other than ABC, Inc.
3. Defendants John Does 1-5 are agents, representatives, servants or employees of Defendant Papa Sarris Inc. and XYZ Corporation.
4. Defendants John Does Companies 1-5 are fictitious names for the partnerships, associations, companies or other entities who furnished, constructed, installed designed, maintained or repaired the restaurant known as La Mirage.
5. Defendant=s John Doe Companies 1-5 negligently and carelessly failed to

properly design, construct, furnish, maintain or repair the aforesaid restaurant; failed to warn patrons of the restaurant of its dangerous condition= and otherwise failed in their duty to provide a safe business place to Plaintiffs.

6. Defendants John Does 1-5 negligently and carelessly set up the interior of the restaurant, including the placement of tables and chairs on [insert].

7. At the said time and place, Plaintiff Jane Doe was walking through 123 Diner towards her table and seat when she was caused to fall due to the negligence of Defendants.

8. Defendants were negligent in that they:

- a. Did not keep the restaurant and floor area in a safe condition;
- b. Did not exercise proper care;
- c. Failed to make reasonable inspection of the condition of the restaurant and walkways;
- d. Caused a dangerous and hazardous condition to exist;
- e. Allowed a nuisance to exist;
- f. Failed to provide safeguards and/or warnings on the step, incline or floor;
- g. Failed to provide proper, sage and clear access for persons allowed to use the restaurant as a patron;
- h. Was otherwise negligent in the maintenance of the restaurant and walkways.

9. As a result of the negligence of Defendants, ABC, Inc., d/b/a 123 Diner, YXX Corporation, John Does 1-5 and John Does Companies 1-5 and the fall down caused thereby, Plaintiff, Jane Doe was caused to suffer and sustain severe and disabling injuries and has been and will in the future be caused to obtain medical treatment and has been and will in the future

be caused to refrain from her normal pursuits.

WHEREFORE, Plaintiff, Jane Doe demands judgment against ABC, Inc., d/b/a 123 Diner, XYZ Corporation, John Does 1-5 and John Does Companies 1-5, jointly, severally, or in the alternative, for damages, together with interest, attorneys fees, costs of suit, and such other relief as the court may deem equitable and just.

SECOND COUNT

1. Plaintiffs repeat the allegations of the First Count and incorporate them herein as if set forth in length.

2. At all time relevant hereto, the Plaintiff John Doe, is the lawful husband of the Plaintiff, Jane Doe.

3. As a result of the negligence and carelessness of the defendants as aforesaid, the Plaintiff John Doe was deprived of the society, services, companionship and consortium of the Plaintiff, Jane Doe.

WHEREFORE, the plaintiff, John Doe, demands judgment against the Defendants, ABC, Inc., d/b/a 123 Diner, XYZ Corporation, John Does 1-5 and John Does Companies 1-5, jointly, severally, jointly and severally, or in the alternative, for damages, together with interest, attorneys fees, costs of suit, and such other relief as the Court may deem equitable and just.

BY: _____
JOHN LAWYER

DESIGNATION OF TRIAL COUNSEL

Pursuant to rule 4:25-4, John Lawyer, Esq., is hereby designated as trial counsel for the Plaintiffs, Jane Doe and John Doe, in the above matter.

CERTIFICATION OF NO OTHER ACTIONS

Pursuant to rule 4:5-1, it is hereby stated that the matters in controversy is not the subject of any other action pending in any other Court of a pending Arbitration Proceeding to the best of my knowledge or belief. Also, to the best of my belief, no other action or Arbitration Proceeding is contemplated. Further, other then the parties set fort in this pleading, we know of no other parties that should be joined in the above action. In addition, we recognize the continuing obligation of each party to file and serve on all parties and the Court an amended Certification if there is a change in the facts stated in this original Certification.

BY: _____
JOHN LAWYER

JURY DEMAND

The Plaintiffs, Adalet Kamil and Mustafa Kamil, hereby demand trial by a jury on all of the triable issues of this complaint.

Dated:

BY: _____
JOHN LAWYER