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STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF [REDACTED]

[REDACTED]

Plaintiff,

vs.

SUMMONS
(Wreck Case-Negligence)

JURY TRIAL

[REDACTED] and [REDACTED], LLC

Defendants.

TO THE DEFENDANTS ABOVE-NAMED:

YOU ARE HEREBY SUMMONED and required to answer the complaint herein, a copy of which is herewith served upon you, and to serve a copy of your answer to the said complaint on the subscriber, [REDACTED] at Post Office Box [REDACTED], [REDACTED], South Carolina, [REDACTED]. You must serve your answer to the said complaint on the subscriber within thirty days after the service hereof, exclusive of the day of such service. If you fail to answer the complaint within THIRTY DAYS, the plaintiff will apply to the court for judgment by default against you for the relief demanded in the complaint.

Respectfully submitted,
By: *s/* [REDACTED]
Plaintiff/Attorney for Plaintiff

[REDACTED]
Attorney for the Plaintiff
Post Office Box [REDACTED]



South Carolina [redacted]
[redacted] (Office)
[redacted] (Facsimile)
[redacted].com

South Carolina Bar Number: [redacted]

Dated:

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF [REDACTED]

[REDACTED]

Plaintiff,

vs.

SUMMONS
(Wreck Case-Negligence)

JURY TRIAL

[REDACTED]

Defendants.

The Plaintiff hereby makes the following complaint against Defendants:

PARTIES

1. Plaintiff [REDACTED] (“[REDACTED]”) is a citizen and resident of [REDACTED] and at the time of the accident was the driver and owner of [REDACTED], having [REDACTED].

2. Defendant [REDACTED] (“[REDACTED]”) is, upon information and belief, a citizen and resident of [REDACTED], [REDACTED], and at the time of the occurrence herein mentioned was the driver of a [REDACTED], having [REDACTED].

3. Defendant [REDACTED] LLC (“[REDACTED]”) is company, primarily operating as rent –a- car service business, having its registered office at [REDACTED], [REDACTED], and is the owner of the [REDACTED], [REDACTED], having [REDACTED]. [REDACTED] is the employer of [REDACTED].

4. The underlying accident that is the subject matter of this lawsuit occurred in [REDACTED] County, South Carolina.

5. Both Plaintiff and Defendants are jointly referred to as “Parties.”



JURISDICTION AND VENUE

6. Plaintiff reaffirms and reiterates all allegations above as if fully repeated and are incorporated herein verbatim.

7. This Court has jurisdiction over the parties and the subject matter herein set forth.

8. Venue is proper under South Carolina Code § 15-7-20, as Steven’s acts or omissions giving rise to the causes of action occurred in [REDACTED] County, South Carolina.

GENERAL ALLEGATIONS

1. Plaintiff reaffirms and reiterates all allegations above as if fully repeated and are incorporated herein verbatim.

2. On [REDACTED], at around [REDACTED] hours, [REDACTED] was involved in a motor vehicle accident while lawfully operating his vehicle.

3. On the day of the incident, [REDACTED] was a restrained driver who was travelling [REDACTED]. [REDACTED] was driving the vehicle on the same direction, [REDACTED] on [REDACTED]. While [REDACTED] was exiting Interstate [REDACTED] [REDACTED] changed lanes unlawfully without warning and ran into [REDACTED] on [REDACTED] to driver’s side.

4. At the time of the accident, the estimated speed of the vehicles driven by [REDACTED] as well as [REDACTED] were [REDACTED] miles per hour.

5. [REDACTED] was determined to be the at-fault driver from the motor vehicle accident.

6. As a result of the motor vehicle accident, [REDACTED] sustained acute, severe, and significant injuries to her [REDACTED]. The injuries were casually related to the motor vehicle accident. [REDACTED] suffered real and personal property damage more particularly set forth later in the Complaint herein.

7. The Accident Report shows that [REDACTED] is the contributing party to the accident and not [REDACTED]. Aggrieved by damages caused by [REDACTED]'s negligent driving, [REDACTED] files this complaint.

8. At the time of the accident, [REDACTED] was working for [REDACTED] and is an employee of [REDACTED].

9. [REDACTED] operated the [REDACTED] (the "car") owned by [REDACTED] during his employment at [REDACTED] on the day of the accident on [REDACTED].

(Negligence as against Defendant)

10. Plaintiff reaffirms and reiterates all allegations above as if fully repeated and are incorporated herein verbatim.

11. On [REDACTED], [REDACTED], [REDACTED] negligently operated the car heading west by changing lanes on [REDACTED] without providing warning and struck the driver's side of [REDACTED]'s vehicle.

12. [REDACTED] has a duty towards [REDACTED] to operate the vehicle in a reasonable manner.

13. [REDACTED] individually, and jointly, and in combination, at the time and place above-mentioned, breached a duty to [REDACTED] and was negligent, grossly negligent, wanton, willful, and careless in one or more of the following:

- a. Operating a motor vehicle, a dangerous instrumentality, or allowing a motor vehicle to be operated that was in a dangerous and/or unsafe condition;
- b. Operating a motor vehicle, a dangerous instrumentality, or allowing a motor vehicle to be operated by one who was incapable of safely doing so;
- c. Failing to keep the automobile under proper control;



- d. Driving too fast for conditions;
- e. Failing to apply or timely apply his brakes;
- f. Failing to yield to [REDACTED] right-of-way;
- g. Failing to properly warn while changing lane;
- h. Failing to use the degree of care and caution that a reasonable and prudent person would have used under the circumstances then and there prevailing, all of which was the direct and proximate cause of the damages and injuries suffered by [REDACTED] herein, said acts being in violation of the statutory and common laws of the State of South Carolina.

14. As a result of the collision, [REDACTED] suffered great physical harm and injury from all of which has and will in the future cause [REDACTED] to undergo much physical pain and suffering, has and will in the future cause to have to spend large amounts of money for medical treatment and services, has and will in the future cause [REDACTED] to suffer trauma, anxiety, annoyance, whole body impairment, inconvenience, and travel—all to [REDACTED]'s general damage and detriment.

15. By reason of [REDACTED]'s negligent acts and recklessness as set forth above, [REDACTED] is entitled to an award of actual, consequential, and punitive damages in an appropriate amount and for the costs of this action.

SECOND CAUSE OF ACTION
(Vicarious Liability as against Defendant [REDACTED])

Plaintiff reaffirms and reiterates all allegations above as if fully repeated and are incorporated herein verbatim.

17. [REDACTED] is the rent-a-car service company for which [REDACTED] worked and is the owner of the car driven by [REDACTED] on [REDACTED], [REDACTED], the day of the accident.



18. [REDACTED] used the car as an employee of [REDACTED] for the business purposes of [REDACTED].

19. [REDACTED] negligently operated the car at the time and date of the collision on [REDACTED], [REDACTED], as [REDACTED]'s employee and agent.

20. During the collision, [REDACTED] was in the course of his employment and was acting as an agent of [REDACTED].

21. [REDACTED] is vicariously liable for damages caused by the car under its ownership while it was used by [REDACTED], as its employee.

22. By reason of [REDACTED]'s negligent acts and [REDACTED]'s liability as set forth above, [REDACTED] is entitled to an award of actual, consequential, and punitive damages in an appropriate amount and for the costs of this action.

WHEREFORE, Plaintiff [REDACTED] prays for judgment against the Defendants [REDACTED] and [REDACTED], jointly and severally, for actual, special, consequential, and punitive in an appropriate amount, for the costs of this action, and for such other and further relief as this Court might deem just and proper.

Respectfully submitted,

Dated: Wednesday,

By: [REDACTED]
[REDACTED]
South Carolina Bar Number: [REDACTED]
Attorney for Plaintiff
Post Office Box [REDACTED]
[REDACTED], South Carolina [REDACTED]
[REDACTED] (Office)
[REDACTED] (Fax)
[REDACTED].com

[REDACTED] County, South Carolina