

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION**

INJURED PERSON)	
)	
)	
Plaintiffs,)	
)	
v.)	
)	No.
RESPONSIBLE PARTIES)	
)	
Defendants.)	
)	
)	
)	
)	

COMPLAINT AT LAW

COUNT ONE- NEGLIGENCE

NOW COMES the Plaintiff, INJURED PERSON, by and through her attorneys, ROSENFELD INJURY LAWYERS, and for Count One of her Complaint at Law, against defendant RESPONSIBLE PARTY, states:

1. On and before September 13, 2011, the Plaintiff, INJURED PERSON resided at 2623 N. Washtenaw Ave, Apt. 2, in the City of Chicago, County of Cook and State of Illinois.
2. On and before September 13, 2011, defendant RESPONSIBLE PARTY resided at 745 Burdette, City of Glendale Heights, County of DuPage and State of Illinois.
3. On and before September 13, 2011, defendant RESPONSIBLE PARTY. (“RESPONSIBLE PARTY”) was an Illinois corporation with its principal place of business located at 2233 South Wabash Avenue, in the City of Chicago, County of Cook and State of Illinois.
4. On or before September 13, 2011, defendant RESPONSIBLE PARTY resided at 945 Michigan Ave, in the city of Wilmette, County of Cook and State of Illinois.

5. On September 13, 2011, at approximately 8:40 p.m., Plaintiff, INJURED PERSON was riding her bicycle in a northbound on North Milwaukee Ave at or near its intersection with Maplewood, in the City of Chicago, County of Cook and State of Illinois.

6. At that same time and place, defendant RESPONSIBLE PARTY was driving a 2007 Ford Crown Victoria taxi cab, traveling northbound on North Milwaukee Avenue at or near its intersection with Maplewood, in the City of Chicago, County of Cook and State of Illinois.

7. At that same time and place, defendant RESPONSIBLE PARTY was a passenger in the taxi cab operated by defendant RESPONSIBLE PARTY.

8. On September 13, 2011, the 2007 Ford Crown Victoria taxi cab operated by RESPONSIBLE PARTY was owned, operated or managed by defendant RESPONSIBLE PARTY.

9. On September 13, 2011, defendant RESPONSIBLE PARTY was driving the 2007 Ford Crown Victoria taxi cab as an agent, employee, contractor or servant of defendant RESPONSIBLE PARTY in the furtherance of his work for defendant RESPONSIBLE PARTY.

10. At that time and place, defendant RESPONSIBLE PARTY owed a duty of reasonable care in the operation of his vehicle in order to avoid colliding with, striking or contacting other vehicles, [pedestrians](#), or cyclists on the roadway, including the bicycle operated by Plaintiff, INJURED PERSON.

11. On September 13, 2011, defendant RESPONSIBLE PARTY was a common carrier and owed the highest duty of care to other drivers, pedestrians, and cyclists on the road.

12. At that time and place, defendant RESPONSIBLE PARTY, while operating the Ford Crown Victoria taxi cab as an agent, employee or servant of defendant RESPONSIBLE PARTY, a common carrier, stopped his taxi cab in the middle of Milwaukee Avenue, parked in the designated bike lane, and allowed a passenger, RESPONSIBLE PARTY, to exit the taxi cab,

causing him to open the [taxi door](#) in the pathway of the bicycle operated by Plaintiff, INJURED PERSON.

13. On September 13, 2011 INJURED PERSON was injured.

14. At that time and place, defendant RESPONSIBLE PARTY, individually, and as the agent of RESPONSIBLE PARTY. was then and there guilty of one or more of the following acts and/or omissions:

- a. Failed to exercise that degree of care and caution that a reasonable person under similar circumstances would have exercised in the operation of his vehicle;
- b. Failed to keep an adequate or any lookout while driving his vehicle;
- c. Failed to drop off his passengers in a safe or suitable location for their own safety and for the safety of others on the roadway;
- d. Failed to warn his passengers about opening doors in a clearly marked designated bicycle lane.
- e. Stopped his taxicab in the path of a designated bike lane and allowed passengers to exit his taxi cab in the bike lane, in a manner which impeded bicycle traffic on said bike lane, in violation of Chicago Municipal Code Section 9-40-060;
- f. Allowed his passenger, RESPONSIBLE PARTY, to open the taxi cab door on the side available to moving traffic without it being reasonably safe to do so, causing the door to interfere with the movement of traffic in violation of Chicago Municipal Code Section 9-80-035 and 625 ILCS 5/11-1407

OR

- g. Otherwise failed to act in a reasonable and safe manner.

15. One or more of these acts and/or omissions of defendant RESPONSIBLE PARTY, as agent, servant of employee of defendant RESPONSIBLE PARTY, was a proximate cause of the collision between the vehicle being driven by defendant RESPONSIBLE PARTY and

the bicycle operated by INJURED PERSON.

16. As a direct and proximate result of one or more of these acts and/or omissions by defendant RESPONSIBLE PARTY, Plaintiff, INJURED PERSON has been injured, damaged and incapacitated; has in the past and will in the future, incur legal obligations for hospital, medical, nursing, rehabilitative and related services and treatment; has lost wages and will stand to lose wages in the future; has been caused to suffer pain, disability, disfigurement and inconvenience; all of which injuries and conditions are permanent.

WHEREFORE the Plaintiff, INJURED PERSON, demands judgment against defendant RESPONSIBLE PARTY, in a sum in excess of FIFTY THOUSAND AND 00/100 DOLLARS (\$50,000.00), plus costs.

**COUNT II- NEGLIGENCE
(RESPONSIBLE PARTY.)**

NOW COMES the Plaintiff, INJURED PERSON, by and through his attorneys, [ROSENFELD INJURY LAWYERS](#), and for Count Two of her Complaint at Law, against defendant RESPONSIBLE PARTY. states:

1-16. Plaintiff adopts and re-alleges Paragraphs One (1) through Sixteen (16) of Count One of this Complaint at Law as Paragraphs One (1) through Sixteen (16) inclusive of this Count Two, against this defendant, as though fully set forth herein

WHEREFORE the Plaintiff, INJURED PERSON, demands judgment against defendant RESPONSIBLE PARTY., in a sum in excess of FIFTY THOUSAND AND 00/100 DOLLARS (\$50,000.00), plus costs.

**COUNT III- NEGLIGENCE
(RESPONSIBLE PARTY)**

NOW COMES the Plaintiff, INJURED PERSON, by and through her attorneys, ROSENFELD INJURY LAWYERS, and for Count Three of his Complaint at Law, against defendant RESPONSIBLE PARTY, states:

1. On or before September 13, 2011, the Plaintiff, INJURED PERSON, resided at 2623 N. Washtenaw Ave, Apt. 2, in the City of Chicago, County of Cook and State of Illinois.

2. On or before September 13, 2011, defendant RESPONSIBLE PARTY resided at 945 Michigan Ave, in the city of Wilmette, County of Cook and State of Illinois.

3. On or before September 13, 2011, defendant RESPONSIBLE PARTY resided at 745 Burdette, City of Glendale Heights, County of DuPage and State of Illinois.

4. On or before September 13, 2011, defendant RESPONSIBLE PARTY was an Illinois corporation with its principal place of business located at 2233 South Wabash Avenue, in the [City of Chicago](#), County of Cook and State of Illinois.

5. On September 13, 2011, at approximately 8:40 pm, Plaintiff, INJURED PERSON was riding her bicycle in a northbound on North Milwaukee Ave at or near its intersection with Maplewood, in the City of Chicago, County of Cook and State of Illinois

6. On September 13, 2011, at approximately 8:40 pm, defendant RESPONSIBLE PARTY was a customer and passenger of a 2007 Ford Crown Victoria taxi cab operated by defendant RESPONSIBLE PARTY and owned, managed, or controlled by defendant RESPONSIBLE PARTY.

7. On September 13, 2011, at approximately 8:40 pm, Defendant RESPONSIBLE PARTY attempted to exit a 2007 Ford Crown Victoria taxi cab operated by defendant RESPONSIBLE PARTY and owned, managed, or controlled by defendant RESPONSIBLE PARTY.

8. At that time and place, defendant RESPONSIBLE PARTY owed a reasonable duty of care while exiting that taxi cab in checking for cyclists in what was a clearly marked bicycle lane when opening his door.

9. At that time and place, defendant RESPONSIBLE PARTY, suddenly and without warning, opened the taxi cab door directly into the [designated pathway of the bicycle](#) being operated by Plaintiff, INJURED PERSON.

10. On September 13, 2011, INJURED PERSON was injured.

11. At that time and place, defendant RESPONSIBLE PARTY was then and there guilty of one or more of the following acts and/or omissions:

- a. Failed to keep an adequate or any lookout for cyclists in a marked bicycle lane.
- b. Failed to exercise the degree of care and caution that a reasonable person would have exercised under similar circumstances.
- c. Opened the taxi cab door on the side available to moving traffic without it being reasonably safe to do so, causing the door to interfere with the movement of traffic in violation of Chicago Municipal Code Section 9-80-035 and 625 ILCS 5/11-1407.

OR

- d. Otherwise failed to act in a reasonable and safe manner.

12. One or more of these acts and/or omissions of defendant RESPONSIBLE PARTY, was a proximate cause of the collision between the vehicle being driven by defendant RESPONSIBLE PARTY and the bicycle operated by INJURED PERSON.

13. As a direct and proximate result of one or more of these acts and/or omissions by defendant RESPONSIBLE PARTY, Plaintiff, INJURED PERSON has been injured, damaged and incapacitated; has in the past and will in the future, incur legal obligations for hospital, medical, nursing, rehabilitative and related services and treatment; has lost wages and will stand

to lose wages in the future; has been caused to suffer pain, disability, disfigurement and inconvenience; all of which injuries and conditions are permanent.

WHEREFORE the Plaintiff, INJURED PERSON, demands judgment against defendant RESPONSIBLE PARTY in a sum in excess of FIFTY THOUSAND AND 00/100 DOLLARS (\$50,000.00), plus costs.

Respectfully submitted,

ROSENFELD INJURY LAWYERS

By: _____
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