



and/or contract carrier under the laws of the state of Georgia when the accident out of which this cause of action arises occurred. The Defendant, [REDACTED], may be served process Summons and Complaint through its registered agent, [REDACTED] in [REDACTED] County and therefore is subject to the jurisdiction and venue of this Court.

3.

On or about [REDACTED], 2009 Defendant JOHN and/or JANE DOE, Defendant [REDACTED]'s employee, had a duty to properly secure the Decedent [REDACTED]'s wheelchair while transporting the Decedent in a vehicle that was and is owned by the Defendant [REDACTED] and was and is insured by Defendant [REDACTED]. The Defendant JOHN and/or JANE DOE, while within the scope of his/her employment, breached this duty by failing to properly secure the wheelchair of the Decedent in the vehicle. This failure by Defendant JOHN and/or JANE DOE resulted in the wheelchair, which was occupied by Decedent [REDACTED] at the time, to fall from the vehicle to the ground. The wheelchair falling from the vehicle proximately caused injuries to the [REDACTED]'s head as he fell to the ground and was a contributing factor to the Decedent's death.

4.

At all times relevant to the allegations contained within this Complaint, the vehicle, owned by Defendant [REDACTED], and operated by its employee within the line and scope of his employment, was insured under a policy of liability coverage issued by the Defendant, [REDACTED].

5.

The injuries [REDACTED] sustained in this accident contributed to his decline in health and ultimate demise.

6.

As a foreseeable result of the negligence of the Defendants, the Decedent was seriously injured and he has to date incurred medical expense in excess of \$66,063.10.

7.

Defendant [REDACTED] is liable for the negligence of its employees through the doctrine of respondeat superior. Defendant [REDACTED] is also liable for negligent hiring, negligent retention of an unsafe employee, negligent entrustment, and any other applicable theories of recovery.

8.

Defendant, [REDACTED], is liable in this action under its insurance contract and the laws of Georgia for the negligence of its insured.

9.

[REDACTED] is now deceased but his estate is entitled to recover damages from the Defendants for his medical expense and other actual damages.

10.

[REDACTED] 's estate is entitled to recover damages from the Defendants for his general damages including pain and suffering. As the Executor of the Estate of the Deceased, Plaintiff [REDACTED] has a chose of action to recover all damages entitled to the estate of the Decedent, [REDACTED].

11.

██████████, as the sole heir of ██████████, is entitled to recover damages for her father ██████████'s wrongful death.

12.

The Plaintiff has a chose of action individually for wrongful death of her biological father and a derivative chose of action to recover damages on behalf of the Decedent's estate including but not limited to damages for medical expenses of the decedent, actual damages, pain and suffering, wrongful death and survival.

WHEREFORE, plaintiff prays that she have judgment against the Defendant in an amount determined by a jury to be adequate and just.

Respectfully submitted this \_\_\_\_ day of \_\_\_\_\_ 2011.

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██████████  
Attorney for Plaintiff  
State Bar No. ██████████