

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF CLACKAMAS

WILLIAM A. SNYDER,

Plaintiff,

v.

KELLY R. MOORE,

Defendant.

Case No.

COMPLAINT FOR PERSONAL INJURY

CLAIM SUBJECT TO MANDATORY
ARBITRATION

JURY TRIAL REQUESTED

TOTAL PRAYER AMOUNT: \$10,000.00
Fee Amount: ORS 21.160(1)(a)

Plaintiff alleges:

1.

At all times material herein, plaintiff William A. Snyder was a properly restrained driver of a 1989 Toyota SR5 Pick-Up.

2.

At all times material herein, defendant Kelly R. Moore was the operator of a 2014 Chevrolet Suburban.

3.

At all times material herein, U.S. Highway 26 was and is a public Highway extending in a generally east/west direction and is provided for the use of motor vehicle traffic in Clackamas County, in the City of Sandy and the State of Oregon.

4.

At all times material herein, Plaintiff was operating his vehicle westbound on Highway 26, at or near the intersection of SE 362nd Drive, in the City of Sandy, County of Clackamas, State of Oregon.

1 5.

2 At all times material herein, Defendant was operating her vehicle eastbound, on U.S.
3 Highway 26 while attempting to make a right turn on a red traffic light striking plaintiff's
4 vehicle.

5 6.

6 On or about October 31, 2017, plaintiff was traveling westbound on U.S. Highway 26 at
7 or near SE 362nd Drive, when defendant failed to yield to oncoming traffic and keep proper look
8 out and failed to brake appropriately at a traffic signal while attempting to make a right hand turn
9 thus striking the passenger side of plaintiff's vehicle.

10 7.

11 The collision between defendant's vehicle and plaintiff vehicle was a result of the
12 negligence of defendant in one or more of the following particulars:

- 13 a. In failing to maintain a proper lookout for and failing to avoid colliding with other
14 vehicles lawfully proceeding on the roadway, and more particularly plaintiff's
15 vehicle;
- 16 b. In failing to have said vehicle under proper control;
- 17 c. In failing to apply the brakes of said vehicle so as to avoid colliding with other
18 vehicles lawfully proceeding on the roadway;
- 19 d. In failing to yield to on-coming traffic;
- 20 e. In failing to properly stop at a traffic control device;
- 21 f. In failing to apply the brakes of said vehicle so as to avoid colliding with other
22 vehicles lawfully proceeding on the roadway;
- 23 g. In operating said vehicle at too close an interval behind plaintiff's vehicle.

24 8.

25 As a result of the negligence of defendant, plaintiff has sustained present and future,
26 physical pain and suffering; cervical strain/sprain, thoracic strain/sprain, trapezius spasm, strain
27 of rhomboid, and lumbar strain sprain. Plaintiff's normal life activities were lessened and

1 impaired and may be lessened and impaired in the future. Said injuries are may be permanent
2 and permanently disabling. Plaintiff has sustained noneconomic damages in the sum of
3 \$9,937.75.

4 9.

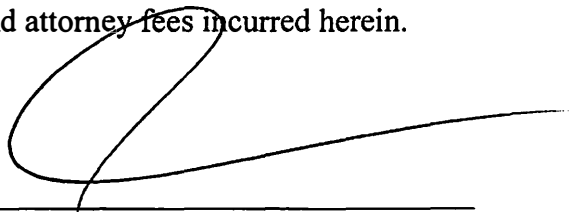
5 As a result of the negligence of defendant and the injuries received, plaintiff has
6 necessarily incurred doctor and medical expenses in the sum of \$1,243.95, of which \$62.25
7 remains unreimbursed.

8
9 10.

10 Plaintiff has been required to employ the services of an attorney for the purposes of
11 prosecuting this bodily injury claim. Prior to commencement of litigation, demand was made
12 upon defendant pursuant to ORS 20.080. Plaintiff is entitled to reasonable attorney fees and costs
13 incurred herein. A copy our correspondence to defendant dated October 8, 2018, together with
14 the USPS Domestic Return Receipts are attached hereto marked as "Exhibit A".

15
16 WHEREFORE, plaintiff prays for a judgment against defendant in the amount of
17 \$10,000.00 as and for non-economic, plus plaintiff's costs and attorney fees incurred herein.

18 DATED this __17__ day of April, 2019.

19
20 
21 _____
22 George G. Curtis, OSB No.: 822300
23 Attorney for Plaintiff
24 Zbinden & Curtis
25 george@zbinden-curtis.com
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