

COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

ELI J. SAGO, a minor by and through
his parents and natural guardians
LAURA K. SAGO and WILLIAM J. SAGO,
and in their own right,

CIVIL DIVISION

NO.

COMPLAINT

Plaintiffs.

v.

NORMAN JACKSON,

Defendant.

Filed on behalf of Plaintiffs

Counsel for this Party:

Wayne M. Chiurazzi, Esq.
Pa. I.D. # 63595

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NOTICE TO DEFEND

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without and a judgment may be entered against you by the court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

ALLEGHENY COUNTY LAWYER REFERRAL SERVICE

The Allegheny County Bar Association

11th Floor Koppers Building

436 Seventh Avenue

Pittsburgh, PA 15219

(412) 261-5555

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AND NOW, come the Plaintiffs, Eli J. Sago, a minor, by and through his parents and natural guardians, Laura K. Sago and William J. Sago, and in their own right, by and through their attorneys Chiurazzi and Mengine, LLC and Wayne M. Chiurazzi, Esquire and files the within Complaint and in support thereof avers the following:

1. The Plaintiff, Eli J. Sago, a minor, is an individual and resident of the Commonwealth of Pennsylvania and County of Allegheny being born on December 8, 2000, and resides with the Plaintiffs, Laura K. Sago and William J. Sago, at 654 Lindsay Road, Scott Township, PA 15106.

2. The Plaintiff, Laura K. Sago, is the mother and natural guardian of minor Plaintiff, Eli J. Sago, and resides with him as such at 654 Lindsay Road, Scott Township, PA 15106.

3. The Plaintiff, William J. Sago, is the father and natural guardian of minor Plaintiff, Eli J. Sago, and resides with him as such at 654 Lindsay Road, Scott Township, PA 15106.

4. The Defendant, Norman Jackson, is an individual and resident of the Commonwealth of Pennsylvania and County of Washington residing at 140 West Pike Street, Houston, PA 15342.

5. On or about May 20, 2010, at approximately 1:00 p.m., the minor Plaintiff, Eli J. Sago, was safely pushing his bike across the intersection of Greentree Road and Route 50 in the crosswalk when he was suddenly struck by a vehicle being operated by Defendant, Norman Jackson.

6. At the time of the accident, the Defendant, Norman Jackson, exited his vehicle, moved the minor Plaintiff's bike, picked up his mirror and then left the scene of the accident.

COUNT I

ELI J. SAGO, A MINOR v. NORMAN JACKSON

7. The Plaintiffs incorporate by reference all preceding paragraphs as if the same were set forth more fully at length herein.

8. The accident set forth was the sole, direct, legal and proximate result of the negligence of this Defendant in the following particulars:

- a. In failing to operate his vehicle in due regard for the position of the Plaintiff;
- b. In failing to yield, slow, stop, turn aside, reduce his speed and take any other action to avoid colliding with the bicycle which was operated by the Plaintiff;

- c. in operating said motor vehicle so that it struck the bicycle and Plaintiff resulting in the serious injuries more fully set forth herein;
- d. in failing to keep and maintain a proper and adequate lookout ahead on the road and the surrounding traffic conditions;
- e. in failing to be properly attentive while operating said vehicle;
- f. in leaving the scene without making sure minor Plaintiff was not injured;
- g. in failing to get proper help for minor Plaintiff; and
- h. in fleeing the scene.

9. As the sole, direct, legal and proximate result of the negligence of this Defendant as aforesaid, the Plaintiff, Eli J. Sago, a minor suffered the following injuries:

- a. Cerebral concussion with residual cognitive problems;
- b. Orbital roof fracture;
- c. Facial trauma;
- d. Elbow, knee and back pain;
- e. Migraines; and
- f. General loss of vitality and good health.

10. As the sole, direct, legal and proximate result of the negligence of this Defendant as aforesaid, the Plaintiff, Eli J. Sago, a minor, sustained the following damages:

- a. he has suffered and will continue to suffer great pain, suffering, mental anguish and embarrassment;

- b. he has been unable to enjoy the ordinary pleasures of life;
- c. he has had to undergo medical treatment;
- d. he has been unable to perform his normal daily activities.

WHEREFORE, the Plaintiff, Eli J. Sago, a minor, by and through his parents and natural guardians, Laura K. Sago and William J. Sago, demand judgment in their favor and against the Defendant, Norman Jackson, for an amount in excess of the applicable arbitration limits, exclusive of interest and costs.

COUNT II

LAURA K. SAGO AND WILLIAM J. SAGO v. NORMAN JACKSON

11. The Plaintiffs incorporate by reference all preceding paragraphs as if the same were set forth more fully at length herein.

12. As the sole, direct, legal and proximate result of the negligence of the Defendant, Norman Jackson, the Plaintiffs, Laura K. Sago and William J. Sago, have sustained the following damages:

- a. they have been deprived of the services of their son, Eli J. Sago;
- b. they have incurred medical bills for the necessary medical treatment rendered to their son, the Plaintiff, Eli J. Sago

WHEREFORE, the Plaintiffs, Laura K. Sago and William J. Sago demand

judgment in their favor and against the Defendant, Norman Jackson, for an amount in excess of the applicable arbitration limits, exclusive of interest and costs.

Respectfully submitted,
Chiurazzi and Mengine, LLC

/s/Wayne M. Chiurazzi
Wayne M. Chiurazzi
Attorney for Plaintiffs

VERIFICATION

THE UNDERSIGNED, Laura K. Sago and William J. Sago, individually and as Parents and Natural Guardians of Eli J. Sago, minor, avers that the statements of fact contained in the foregoing Complaint are true and correct to the best of their knowledge, information and belief, and are made subject to the penalties of 18 Pa. Cons. Stat. Ann. §4904 relating to unsworn falsification to authorities.

Date: 5/18/12

/s/Laura K. Sago
Laura K. Sago, individually and as Parent and
Natural Guardian of Eli J. Sago, minor

Date: 5/18/12

/s/William J. Sago
William J. Sago, individually and as Parent and
Natural Guardian of Eli J. Sago, minor