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

ASHLEY MARTIN

Plaintiff,

vs.

P. & C. CONSTRUCTION CO., an Oregon corporation and EDWARD J. WILSON,

Defendants.

Case No.

COMPLAINT (Negligence; Personal Injury)

NOT SUBJECT TO MANDATORY ARBITRATION

Claim Amount \$413,000.00

ORS 21.160(1)(c)

Plaintiff alleges as follows:

(Negligence)

1.

At all material times, defendant P. & C. CONSTRUCTION CO., was and is an Oregon corporation authorized to do business in Multnomah County, Oregon.

2.

On information and belief, at all material times, defendant Edward J. Wilson was an employee of defendant P. & C. CONSTRUCTION CO , operating a 2017 Ford F150 owned by P. & C. CONSTRUCTION CO and in the course and scope of his employment with defendant P. & C. CONSTRUCTION CO.

3.

On or about December 7, 2017, plaintiff was a passenger in a 2013 GMC Arcadia

1 operated by her husband and at a complete stop at the intersection at NE Brookwood Parkway
2 and NE Evergreen Road in Hillsboro. Defendant, who was directly behind plaintiff, collided
3 with plaintiff's vehicle at full speed causing plaintiff's vehicle to collide with the vehicle in front
4 of it thereby causing extensive front and rear end damage to plaintiff's vehicle.

5 4.

6 The collision was caused by the negligence of defendant's employee, Edward J.
7 Wilson, in one or more of the following particulars:

- 8 a) In failing to obey a traffic control device in violation of ORS 811.265;
- 9 b) In failing to maintain a proper lookout;
- 10 c) In driving distracted while using a cellphone or handheld device in
11 violation of ORS 811.507; and
- 12 d) In failing to maintain proper control of his vehicle.

13 5.

14 Defendant P. & C. CONSTRUCTION CO is liable for all resulting damages caused
15 by defendant Edward J. Wilson's negligence due to defendant Wilson having been in the course and
16 scope of his employment when he caused damage to plaintiff.

17 6.

18 As a result of the negligence of defendant, plaintiff sustained personal injuries in this
19 collision, including neck and back injuries, all of which has required her to undergo medical
20 treatment, including multiple epidural steroid injections in her cervical spine, various other therapy
21 modalities and plaintiff continues to have neck pain which may be permanent in nature.

22 7.

23 As a result of her injuries, plaintiff has required reasonable and necessary medical
24 care in the sum of \$38,000.00 or such sum as is proven at trial.

25 8.

26 As a further result of her injuries, plaintiff has experienced, and continues to

1 experience pain, interruption in her ability to perform daily activities, interruption in her ability to
2 enjoy recreational activities and to enjoy life. Plaintiff requests a sum which a jury decides is fair
3 for her injuries, but not to exceed the sum of \$375,000.00.

4 **WHEREFORE**, plaintiff prays for judgment against defendant as follows:

5 1. For economic damages for medical expenses incurred in the amount of
6 \$38,000.00 or such sum as is proven at trial;

7 2. For non economic damages in the sum of \$375,000.00 or such sum as a jury
8 determines is fair for plaintiff's injuries; and

9 3. For plaintiff's costs and disbursements incurred herein.

10 DATED this 6th day of November, 2019.

11 **LAW OFFICES OF MATTHEW H. KEHOE, LLC**

12 S/Matthew H. Kehoe

13 By _____
14 Matthew H. Kehoe, OSB #903103
15 Of Attorneys for Plaintiff
16 Trial Attorney
17 Mkehoe1726@aol.com

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22
23 **PLAINTIFFS RESERVE THE RIGHT TO AMEND THIS COMPLAINT TO ADD A**
24 **CLAIM FOR PUNITIVE DAMAGES PURSUANT TO ORS 31.725**