

IN THE CIRCUIT COURT
TWENTIETH JUDICIAL CIRCUIT
SAINT CLAIR COUNTY, ILLINOIS

PHILLIP D. JONES)
)
 Plaintiff,)
)
 v.) Case No. 20L0856
)
 ZADE TRUCKING, LLC)
)
 Serve Registered Agent at:)
 Mark C. Goldenberg)
 2227 S State Route 157)
 Edwardsville, IL 62025)
)
 ZOIE LLC)
)
 Serve Registered Agent at:)
 Mark C. Goldenberg)
 2227 S State Route 157)
 Edwardsville, IL 62025)
)
 DANA C. HOWARD)
)
 Serve at:)
 2010 Martin Luther King)
 East St. Louis, IL 62205)
 and)
)
 RODERICK C. JONES,)
)
 Serve at:)
 1301 Tudor Ave.)
 East St. Louis, IL 62201)
)
 Defendants.)

COMPLAINT

Comes now Plaintiff, Phillip D. Jones, by and through his attorneys, Albers Law LLC, and for his causes of action against Defendants, Zade Trucking, LLC, Zoie LLC, Dana C. Howard, and Roderick C. Jones, states as follows:

COUNT I—VICARIOUS LIABILITY
(Defendant Zade Trucking, LLC)

Comes now Plaintiff, Phillip D. Jones, by and through his attorneys, Albers Law LLC, and for his cause of action against Defendant, Zade Trucking, LLC, states as follows:

1. That Plaintiff, Phillip D. Jones, for all purposes herein, is a resident of St. Clair County, Illinois.
2. That Defendant, Zade Trucking, LLC, for all purposes herein, is a limited liability company registered and in good standing in the State of Illinois, with its principal place of business in St. Clair County, Illinois.
3. That Defendant, Roderick C. Jones, for all purposes herein, is a resident of St. Clair County, Illinois.
4. Jurisdiction and venue are proper in this Court since the accident described herein occurred in St. Clair County, Illinois.
5. On or about January 5, 2019, Plaintiff was driving a vehicle west on Martin Luther King Drive near the intersection of North 20th Street located in East St. Louis, St. Clair County, Illinois.
6. That at said time and place, Defendant, Zade Trucking, LLC, was the owner of a 2007 Sterling truck, which was being driven and operated at the time of the accident by its employee, Roderick C. Jones, who was acting, at all relevant times herein, within the course and scope of his employment with Zade Trucking, LLC.
7. That at said time and place, as Plaintiff, Phillip C. Jones, was driving his vehicle on Martin Luther King Drive near the intersection of North 20th Street, Defendant's driver, Roderick C. Jones, pulled out of Defendant, Zade Trucking LLC's premises with Defendant, Zade Trucking, LLC's vehicle on to Martin Luther King Drive

heading toward North 20th Street, and struck the front of Zade Trucking LLC's vehicle into the driver's side of Plaintiff's vehicle before reaching North 20th Street, which caused Plaintiff's vehicle to then hit a utility pole, and Plaintiff was thereby damaged.

8. Defendant's driver, Roderick C. Jones, had a duty to operate the vehicle he was driving with ordinary and reasonable care for the safety of other drivers according to the laws of Illinois.
9. That at that time and place the following laws were in full force and effect:
 - a. 625 Illinois Compiled Statute 5/11-601(a) failure to reduce speed
10. That the aforesaid accident and injury to Plaintiff was due to no negligence on behalf of Plaintiff and was a direct and proximate result of one or more of the negligent acts, omissions and/or carelessness of Defendant's driver, Roderick C. Jones, as hereinafter more particularly set forth:
 - a. Defendant's driver, Roderick C. Jones, failed to keep a careful lookout for the vehicle Plaintiff was in and others who were, or might be upon said roadway;
 - b. Defendant's driver, Roderick C. Jones, failed to reduce the speed of the vehicle in violation of 625 ILCS 5/11-601(a) and/or yield as necessary to avoid striking another vehicle;
 - c. Defendant's driver, Roderick C. Jones, failed to avoid a collision;
 - d. Defendant's driver, Roderick C. Jones, failed to warn prior to collision;
 - e. Defendant's driver, Roderick C. Jones, operated said vehicle at an excessive rate of speed than was reasonable and proper for the conditions then and

there existing so

as to endanger the Plaintiff and others;

- f. Defendant's driver, Roderick C. Jones, drove too fast for the conditions;
 - g. Defendant's driver, Roderick C. Jones, failed to keep his vehicle under proper control;
 - h. Defendant's driver, Roderick C. Jones, failed to keep a proper lookout;
 - i. Defendant's driver, Roderick C. Jones, collided with the vehicle Plaintiff was in;
 - j. Defendant's driver, Roderick C. Jones, failed to stop and allow Plaintiff's vehicle to pass;
 - k. Defendant's driver, Roderick C. Jones, operated his vehicle in an otherwise improper and careless manner;
 - l. Defendant's driver, Roderick C. Jones, failed to see and observe the vehicle Plaintiff was in when he could and should have been observed;
 - m. Defendant's driver, Roderick C. Jones, failed to stop his vehicle in time to avoid said collision, though he saw or should have seen that a collision was impending and he had ample time and opportunity to avoid said collision;
and
 - n. Defendant's driver, Roderick C. Jones, was otherwise negligent.
11. The aforementioned negligent conduct of Defendant's driver, Roderick C. Jones, was the direct and proximate cause of the accident and the injuries sustained by Plaintiff resulting therefrom.
12. That as a direct result of the negligence of Defendant's driver, Roderick C. Jones,

in causing the crash as aforesaid, Plaintiff, Phillip D. Jones, suffered injuries, including, but not limited to her head, shoulder, neck, and right knee, and continues to suffer.

13. That as a direct result of the negligence of Defendant's driver, Roderick C. Jones, in causing the crash as aforesaid, Plaintiff, Phillip D. Jones, has received medical treatment and incurred medical bills and will in the future require medical treatment and incur future medical expenses as a result of her injuries.
14. That as a direct result of the negligence of Defendant's driver, Roderick C. Jones,, in causing the crash as aforesaid, Plaintiff, Phillip D. Jones, has lost wages and quality of life.
15. At all relevant times mentioned herein, but specifically at the time of the above-mentioned accident, Defendant's driver, Roderick C. Jones, was acting as an agent, servant, and employee of Defendant Zade Trucking, LLC.
16. At all relevant times mentioned herein, but specifically at the time of the above-mentioned collision, Defendant's driver, Roderick C. Jones, was acting in the course and scope of his agency or employment relationship with Defendant Zade Trucking, LLC.
17. Defendant Zade Trucking, LLC is vicariously liable for the negligent acts and conduct of Defendant's driver, Roderick C. Jones, with regard to the above-mentioned collision and the Defendant's driver's actions in relation to said collision are imputed upon Defendant Zade Trucking, LLC.

WHEREFORE, Plaintiff, Phillip D. Jones, prays judgment against Defendant, Zade Trucking, LLC, in an amount that is fair and reasonable in an amount in excess of \$50,000.00,

together with her costs herein expended and for such other and further relief as this Court deems just and proper under the circumstances.

COUNT II—VICARIOUS LIABILITY
(Defendant Zoie LLC)

Comes now Plaintiff, Phillip D. Jones, by and through his attorneys, Albers Law LLC, and for his cause of action against Defendant, Zoie LLC, states as follows:

1. That Plaintiff, Phillip D. Jones, for all purposes herein, is a resident of St. Clair County, Illinois.
2. That Defendant, Zoie LLC, for all purposes herein, is a limited liability company registered and not in good standing in the State of Illinois, with its principal place of business in St. Clair County, Illinois.
3. That Defendant, Roderick C. Jones, for all purposes herein, is a resident of St. Clair County, Illinois.
4. Jurisdiction and venue are proper in this Court since the accident described herein occurred in St. Clair County, Illinois.
5. On or about January 5, 2019, Plaintiff was driving a vehicle west on Martin Luther King Drive near the intersection of North 20th Street located in East St. Louis, St. Clair County, Illinois.
6. That at said time and place, Defendant, Zoie LLC, was the owner of a 2007 Sterling truck, which was being driven and operated at the time of the accident by its employee, Roderick C. Jones, who was acting, at all relevant times herein, within the course and scope of his employment with Zoie LLC.
7. That at said time and place, as Plaintiff, Phillip C. Jones, was driving his vehicle on Martin Luther King Drive near the intersection of North 20th Street, Defendant's

driver, Roderick C. Jones, pulled out of Defendant, Zoie LLC's premises with Defendant, Zoie LLC's vehicle on to Martin Luther King Drive heading toward North 20th Street, and struck the front of Zoie LLC's vehicle into the driver's side of Plaintiff's vehicle before reaching North 20th Street, which caused Plaintiff's vehicle to then hit a utility pole, and Plaintiff was thereby damaged.

8. Defendant's driver, Roderick C. Jones, had a duty to operate the vehicle he was driving with ordinary and reasonable care for the safety of other drivers according to the laws of Illinois.
9. That at that time and place the following laws were in full force and effect:
 - b. 625 Illinois Compiled Statute 5/11-601(a) failure to reduce speed
10. That the aforesaid accident and injury to Plaintiff was due to no negligence on behalf of Plaintiff and was a direct and proximate result of one or more of the negligent acts, omissions and/or carelessness of Defendant's driver, Roderick C. Jones, as hereinafter more particularly set forth:
 - a. Defendant's driver, Roderick C. Jones, failed to keep a careful lookout for the vehicle Plaintiff was in and others who were, or might be upon said roadway;
 - b. Defendant's driver, Roderick C. Jones, failed to reduce the speed of the vehicle in violation of 625 ILCS 5/11-601(a) and/or yield as necessary to avoid striking another vehicle;
 - c. Defendant's driver, Roderick C. Jones, failed to avoid a collision;
 - d. Defendant's driver, Roderick C. Jones, failed to warn prior to collision;
 - e. Defendant's driver, Roderick C. Jones, operated said vehicle at an excessive

rate of speed than was reasonable and proper for the conditions then and there existing so

as to endanger the Plaintiff and others;

f. Defendant's driver, Roderick C. Jones, drove too fast for the conditions;

g. Defendant's driver, Roderick C. Jones, failed to keep his vehicle under proper control;

h. Defendant's driver, Roderick C. Jones, failed to keep a proper lookout;

i. Defendant's driver, Roderick C. Jones, collided with the vehicle Plaintiff was in;

j. Defendant's driver, Roderick C. Jones, failed to stop and allow Plaintiff's vehicle to pass;

k. Defendant's driver, Roderick C. Jones, operated his vehicle in an otherwise improper and careless manner;

l. Defendant's driver, Roderick C. Jones, failed to see and observe the vehicle Plaintiff was in when he could and should have been observed;

m. Defendant's driver, Roderick C. Jones, failed to stop his vehicle in time to avoid said collision, though he saw or should have seen that a collision was impending and he had ample time and opportunity to avoid said collision; and

n. Defendant's driver, Roderick C. Jones, was otherwise negligent.

11. The aforementioned negligent conduct of Defendant's driver, Roderick C. Jones, was the direct and proximate cause of the accident and the injuries sustained by Plaintiff resulting therefrom.

12. That as a direct result of the negligence of Defendant's driver, Roderick C. Jones, in causing the crash as aforesaid, Plaintiff, Phillip D. Jones, suffered injuries, including, but not limited to her head, shoulder, neck, and right knee, and continues to suffer.
13. That as a direct result of the negligence of Defendant's driver, Roderick C. Jones, in causing the crash as aforesaid, Plaintiff, Phillip D. Jones, has received medical treatment and incurred medical bills and will in the future require medical treatment and incur future medical expenses as a result of her injuries.
14. That as a direct result of the negligence of Defendant's driver, Roderick C. Jones,, in causing the crash as aforesaid, Plaintiff, Phillip D. Jones, has lost wages and quality of life.
15. At all relevant times mentioned herein, but specifically at the time of the above-mentioned accident, Defendant's driver, Roderick C. Jones, was acting as an agent, servant, and employee of Defendant Zoie LLC.
16. At all relevant times mentioned herein, but specifically at the time of the above-mentioned collision, Defendant's driver, Roderick C. Jones, was acting in the course and scope of his agency or employment relationship with Defendant Zoie LLC.
17. Defendant Zoie LLC is vicariously liable for the negligent acts and conduct of Defendant's driver, Roderick C. Jones, with regard to the above-mentioned collision and the Defendant's driver's actions in relation to said collision are imputed upon Defendant Zoie LLC.

WHEREFORE, Plaintiff, Phillip D. Jones, prays judgment against Defendant, Zoie LLC,

in an amount that is fair and reasonable in an amount in excess of \$50,000.00, together with her costs herein expended and for such other and further relief as this Court deems just and proper under the circumstances.

COUNT III—VICARIOUS LIABILITY
(Defendant Dana C. Howard)

Comes now Plaintiff, Phillip D. Jones, by and through his attorneys, Albers Law LLC, and for his cause of action against Defendant, Dana C. Howard, states as follows:

1. That Plaintiff, Phillip D. Jones, for all purposes herein, is a resident of St. Clair County, Illinois.
2. That Defendant, Dana C. Howard, for all purposes herein, is the owner of Zoie LLC, which is a limited liability company registered and not in good standing in the State of Illinois, with its principal place of business in St. Clair County, Illinois.
3. That Defendant, Roderick C. Jones, for all purposes herein, is a resident of St. Clair County, Illinois.
4. Jurisdiction and venue are proper in this Court since the accident described herein occurred in St. Clair County, Illinois.
5. On or about January 5, 2019, Plaintiff was driving a vehicle west on Martin Luther King Drive near the intersection of North 20th Street located in East St. Louis, St. Clair County, Illinois.
6. That at said time and place, Zoie LLC was the owner of a 2007 Sterling truck, which was being driven and operated at the time of the accident by its employee, Roderick C. Jones, who was acting, at all relevant times herein, within the course and scope of his employment with Zoie LLC.

7. That at said time and place, as Plaintiff, Phillip C. Jones, was driving his vehicle on Martin Luther King Drive near the intersection of North 20th Street, Zoie LLC's driver, Roderick C. Jones, pulled out of Zoie LLC's premises with Zoie LLC's vehicle on to Martin Luther King Drive heading toward North 20th Street, and struck the front of Zoie LLC's vehicle into the driver's side of Plaintiff's vehicle before reaching North 20th Street, which caused Plaintiff's vehicle to then hit a utility pole, and Plaintiff was thereby damaged.
8. Zoie LLC's driver, Roderick C. Jones, had a duty to operate the vehicle he was driving with ordinary and reasonable care for the safety of other drivers according to the laws of Illinois.
9. That at that time and place the following laws were in full force and effect:
 - c. 625 Illinois Compiled Statute 5/11-601(a) failure to reduce speed
10. That the aforesaid accident and injury to Plaintiff was due to no negligence on behalf of Plaintiff and was a direct and proximate result of one or more of the negligent acts, omissions and/or carelessness of Zoie LLC's driver, Roderick C. Jones, as hereinafter more particularly set forth:
 - a. Zoie LLC's driver, Roderick C. Jones, failed to keep a careful lookout for the vehicle Plaintiff was in and others who were, or might be upon said roadway;
 - b. Zoie LLC's driver, Roderick C. Jones, failed to reduce the speed of the vehicle in violation of 625 ILCS 5/11-601(a) and/or yield as necessary to avoid striking another vehicle;
 - c. Zoie LLC's driver, Roderick C. Jones, failed to avoid a collision;

- d. Zoie LLC's driver, Roderick C. Jones, failed to warn prior to collision;
 - e. Zoie LLC's driver, Roderick C. Jones, operated said vehicle at an excessive rate of speed than was reasonable and proper for the conditions then and there existing so
as to endanger the Plaintiff and others;
 - f. Zoie LLC's driver, Roderick C. Jones, drove too fast for the conditions;
 - g. Zoie LLC's driver, Roderick C. Jones, failed to keep his vehicle under proper control;
 - h. Zoie LLC's driver, Roderick C. Jones, failed to keep a proper lookout;
 - i. Zoie LLC's driver, Roderick C. Jones, collided with the vehicle Plaintiff was in;
 - j. Zoie LLC's driver, Roderick C. Jones, failed to stop and allow Plaintiff's vehicle to pass;
 - k. Zoie LLC's driver, Roderick C. Jones, operated his vehicle in an otherwise improper and careless manner;
 - l. Zoie LLC's driver, Roderick C. Jones, failed to see and observe the vehicle Plaintiff was in when he could and should have been observed;
 - m. Zoie LLC's driver, Roderick C. Jones, failed to stop his vehicle in time to avoid said collision, though he saw or should have seen that a collision was impending and he had ample time and opportunity to avoid said collision;
and
 - n. Zoie LLC's driver, Roderick C. Jones, was otherwise negligent.
11. The aforementioned negligent conduct of Zoie LLC's driver, Roderick C. Jones,

was the direct and proximate cause of the accident and the injuries sustained by Plaintiff resulting therefrom.

12. That as a direct result of the negligence of Zoie LLC's driver, Roderick C. Jones, in causing the crash as aforesaid, Plaintiff, Phillip D. Jones, suffered injuries, including, but not limited to her head, shoulder, neck, and right knee, and continues to suffer.
13. That as a direct result of the negligence of Zoie LLC's driver, Roderick C. Jones, in causing the crash as aforesaid, Plaintiff, Phillip D. Jones, has received medical treatment and incurred medical bills and will in the future require medical treatment and incur future medical expenses as a result of her injuries.
14. That as a direct result of the negligence of Zoie LLC's driver, Roderick C. Jones,, in causing the crash as aforesaid, Plaintiff, Phillip D. Jones, has lost wages and quality of life.
15. At all relevant times mentioned herein, but specifically at the time of the above-mentioned accident, Zoie LLC's driver, Roderick C. Jones, was acting as an agent, servant, and employee of Defendant Zoie LLC.
16. At all relevant times mentioned herein, but specifically at the time of the above-mentioned collision, Zoie LLC's driver, Roderick C. Jones, was acting in the course and scope of his agency or employment relationship with Defendant Zoie LLC.
17. Defendant Zoie LLC is vicariously liable for the negligent acts and conduct of Zoie LLC's driver, Roderick C. Jones, with regard to the above-mentioned collision and the Zoie LLC's driver's actions in relation to said collision are imputed upon Defendant Zoie LLC.

18. Since Defendant Zoie LLC is a limited liability company not in good standing in the State of Illinois at this time, its' owner, Dana C. Howard, is vicariously liable for the negligent acts and conduct of Zoie LLC's driver, Roderick C. Jones, with regard to the above-mentioned collision and Zoie LLC's driver's actions in relation to said collision are imputed upon Defendant Dana C. Howard.

WHEREFORE, Plaintiff, Phillip D. Jones, prays judgment against Defendant, Dana C. Howard, in an amount that is fair and reasonable in an amount in excess of \$50,000.00, together with her costs herein expended and for such other and further relief as this Court deems just and proper under the circumstances.

COUNT IV—NEGLIGENCE
(Defendant Roderick C. Jones)

Comes now Plaintiff, Phillip D. Jones, by and through his attorneys, Albers Law LLC, and for his cause of action against Defendant, Roderick C. Jones, states as follows:

1. That Plaintiff, Phillip D. Jones, for all purposes herein, is a resident of St. Clair County, Illinois.
2. That Defendant, Zade Trucking, LLC, for all purposes herein, is a limited liability company registered and in good standing in the State of Illinois, with its principal place of business in St. Clair County, Illinois.
3. That Defendant, Roderick C. Jones, for all purposes herein, is a resident of St. Clair County, Illinois.
4. Jurisdiction and venue are proper in this Court since the accident described herein occurred in St. Clair County, Illinois.
5. On or about January 5, 2019, Plaintiff was driving a vehicle west on Martin Luther King Drive near the intersection of North 20th Street located in East St. Louis, St.

Clair County, Illinois.

6. That at said time and place, Defendant, Zade Trucking, LLC, was the owner of a 2007 Sterling truck, which was being driven and operated at the time of the accident by its Defendant, Roderick C. Jones.
7. That at said time and place, as Plaintiff, Phillip C. Jones, was driving his vehicle on Martin Luther King Drive near the intersection of North 20th Street, Defendant, Roderick C. Jones, pulled out of Zade Trucking LLC's premises with Zade Trucking, LLC's vehicle on to Martin Luther King Drive heading toward North 20th Street, and struck the front of his vehicle into the driver's side of Plaintiff's vehicle before reaching North 20th Street, which caused Plaintiff's vehicle to then hit a utility pole, and Plaintiff was thereby damaged.
8. Defendant, Roderick C. Jones, had a duty to operate the vehicle he was driving with ordinary and reasonable care for the safety of other drivers according to the laws of Illinois.
9. That at that time and place the following laws were in full force and effect:
 - d. 625 Illinois Compiled Statute 5/11-601(a) failure to reduce speed
10. That the aforesaid accident and injury to Plaintiff was due to no negligence on behalf of Plaintiff and was a direct and proximate result of one or more of the negligent acts, omissions and/or carelessness of Defendant, Roderick C. Jones, as hereinafter more particularly set forth:
 - a. Defendant, Roderick C. Jones, failed to keep a careful lookout for the vehicle Plaintiff was in and others who were, or might be upon said roadway;

- b. Defendant, Roderick C. Jones, failed to reduce the speed of the vehicle in violation of 625 ILCS 5/11-601(a) and/or yield as necessary to avoid striking another vehicle;
 - c. Defendant, Roderick C. Jones, failed to avoid a collision;
 - d. Defendant, Roderick C. Jones, failed to warn prior to collision;
 - e. Defendant, Roderick C. Jones, operated said vehicle at an excessive rate of speed than was reasonable and proper for the conditions then and there existing so as to endanger the Plaintiff and others;
 - f. Defendant, Roderick C. Jones, drove too fast for the conditions;
 - g. Defendant, Roderick C. Jones, failed to keep his vehicle under proper control;
 - h. Defendant, Roderick C. Jones, failed to keep a proper lookout;
 - i. Defendant, Roderick C. Jones, collided with the vehicle Plaintiff was in;
 - j. Defendant, Roderick C. Jones, failed to stop and allow Plaintiff's vehicle to pass;
 - k. Defendant, Roderick C. Jones, operated his vehicle in an otherwise improper and careless manner;
 - l. Defendant, Roderick C. Jones, failed to see and observe the vehicle Plaintiff was in when he could and should have been observed;
 - m. Defendant, Roderick C. Jones, failed to stop his vehicle in time to avoid said collision, though he saw or should have seen that a collision was impending and he had ample time and opportunity to avoid said collision;
- and

- n. Defendant, Roderick C. Jones, was otherwise negligent.
11. The aforementioned negligent conduct of Defendant, Roderick C. Jones, was the direct and proximate cause of the accident and the injuries sustained by Plaintiff resulting therefrom.
 12. That as a direct result of the negligence of Defendant, Roderick C. Jones, in causing the crash as aforesaid, Plaintiff, Phillip D. Jones, suffered injuries, including, but not limited to her head, shoulder, neck, and right knee, and continues to suffer.
 13. That as a direct result of the negligence of Defendant, Roderick C. Jones, in causing the crash as aforesaid, Plaintiff, Phillip D. Jones, has received medical treatment and incurred medical bills and will in the future require medical treatment and incur future medical expenses as a result of her injuries.
 14. That as a direct result of the negligence of Defendant, Roderick C. Jones, in causing the crash as aforesaid, Plaintiff, Phillip D. Jones, has lost wages and quality of life.

WHEREFORE, Plaintiff, Phillip D. Jones, prays judgment against Defendant, Roderick C. Jones, in an amount that is fair and reasonable in an amount in excess of \$50,000.00, together with her costs herein expended and for such other and further relief as this Court deems just and proper under the circumstances.

ALBERS LAW LLC

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