

STATE OF INDIANA	) IN THE HOWARD CIRCUIT/SUPERIOR COURT
	) SS:
COUNTY OF HOWARD	) CAUSE NO. _____
NATHAN R. WILLIAMS,	)
	)
Plaintiff,	)
	)
v.	)
	)
LARRY J. BATT and CITY OF KOKOMO	)
	)
Defendants.	)

COMPLAINT FOR DAMAGES

Comes now Plaintiff, Nathan R. Williams, by counsel, and for his Complaint for Damages, against Defendants, Larry J. Batt and the City of Kokomo, states as follows:

1. Plaintiff, Nathan R. Williams, is a resident of Howard County, Indiana.
2. Defendant, Larry J. Batt is a resident of Howard County, Indiana.
3. That at all times relevant hereto, there was and remains, in the City of Kokomo, Howard County, State of Indiana, a public intersection at Monroe Street and Apperson Way wherein Monroe Street generally runs in an easterly and westerly direction and Apperson Way generally runs in a northerly and southerly direction.
4. That at all times relevant hereto the Defendant, City of Kokomo, maintained the intersection located at Monroe Street and Apperson Way, in the City of Kokomo, State of Indiana.
5. The Defendant, the City of Kokomo also maintains landscaping in the median located just south of the intersection at Monroe Street and Apperson Way in Kokomo, Indiana.

6. On or about July 19, 2019, at approximately 6:32 p.m., Plaintiff, Nathan R. Williams, was riding his scooter north on Apperson Way when a vehicle being driven east on Monroe Street, by the Defendant, Larry J. Batt, pulled out into the path being travelled by the Plaintiff, Nathan R. Williams, causing a crash that resulted in severe and permanent injuries to Nathan R. Williams.

7. That Larry J. Batt's view at said intersection was obstructed by the landscaping just south of the intersection.

8. The Defendant, Larry J. Batt was negligent for failing, among other things, to keep a proper lookout, yield to northbound traffic, keep a proper distance, follow statutory duties and regulations in driving his vehicle on the roadway, and failure to maintain control of his vehicle.

9. The City of Kokomo, were careless and negligent in that it allowed the landscaping to obstruct the views at the intersection and for failing to properly design and maintain the intersection in a safe manner, which created a danger for motorists on the roadway.

10. Defendant, City of Kokomo breached their duty to the public for failing to maintain the intersection and landscaping in a safe manner.

11. Defendant, Larry J. Batt breached his duty when he pulled out into the path of the plaintiff, Nathan R. Williams, who had the right of way.

12. As a direct and proximate result of the careless and negligent acts and omissions of the Defendants, Larry J. Batt and the City of Kokomo, Plaintiff sustained serious and permanent injuries, has incurred medical expenses and incidental expenses, and will incur medical and incidental expenses in the future. Plaintiff has experienced pain,

suffering, and mental anguish and he will continue to experience pain, suffering and mental anguish in the future.

13. Plaintiff has been damaged in said sum that should be determined by the Court or jury herein, all as proximate result of the negligence of the Defendants.

WHEREFORE, the Plaintiff prays for damages against the Defendants, Larry J. Batt and the City of Kokomo, in amounts which will fully and fairly compensate him for the injuries and damages sustained, for pre-judgment interest, for costs of this action, and for all other just and proper relief in the premises.

Respectfully submitted,

/s/ Edward R. Reichert

Edward R. Reichert, Esq. #30414-49
Counsel for Plaintiff

GOLITKO & DALY, P.C.
9450 N. Meridian St., Ste. 250
Indianapolis, IN 46260
317.566.9600 Telephone
317.566.9606 Facsimile
eddie@golitkodaly.com

REQUEST FOR TRIAL BY JURY

Comes now the Plaintiff, Nathan R. Williams by counsel, Golitko & Daly, P.C., and respectfully requests that this matter be tried before a Jury.

Respectfully submitted,

GOLITKO & DALY, P.C.

/s/ Edward R. Reichert

Edward R. Reichert (30414-49)

Attorney for the Plaintiff

GOLITKO & DALY, P.C.

9450 N. Meridian St., Ste. 250

Indianapolis, IN 46260

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eddie@golitkodaly.com