

2. Defendant, Roy Lee Adams Jr., is believed by Plaintiff to be an adult resident of the State of Alabama.

3. Defendant, City of Mobile, is a municipal entity which employed the Defendant Roy Lee Adams Jr., in the capacity as a Police Officer.

4. The automobile collision occurred in Mobile County, Alabama.

5. Fictitious parties A, B, C and D are those individuals, partnerships, limited partnerships, corporations, or other business entities who's negligent and/or wanton acts caused or contributed to the wrongful death of Sumner Han Howard. The said acts of fictitious parties A, B, C and D include, but are not limited to, the manufacture, design, repair, operation, or warnings relating to the proper use or maintenance of Defendants, Roy Lee Adams Jr.'s and/or City of Mobile's, vehicle which caused the death of Sumner Han Howard. Fictitious parties E, F, G and H, are those individuals who negligently and/or wantonly entrusted the said vehicle to Defendant, Roy Lee Adams Jr. and/or Fictitious Parties M, N, O, and/or P, with knowledge of his unfitness to operate a motor vehicle. Fictitious parties I, J, K and L, are those individuals in whose employment Defendant, Roy Lee Adams Jr. and/or Fictitious Parties M, N, O and/or P, was in on July 9, 2024, or whose business Defendant, Roy Lee Adams Jr. and/or Fictitious Parties M, N, O and/or P, was engaged in on July 9, 2024. Fictitious Parties M, N, O and P are those individuals who were operating the motor vehicle that collided with Sumner Han Howard's motorcycle and/or who were responsible for the collision made the basis of the suit and are at the time of the filing of this Complaint are unknown by name by the Plaintiff.

**FIRST CAUSE OF ACTION: NEGLIGENCE ON THE PART
OF DEFENDANT ROY LEE ADAMS JR.**

6. Plaintiff, Rebecca Han Howard, as Personal Representative of the Estate of Sumner Han Howard, deceased, alleges that on or about July 9, 2024, Sumner Han Howard was traveling on Old Shell Road when the Defendant, Roy Lee Adams Jr., coming from Mobile Infirmary Lane, negligently operated a motor vehicle.

7. As a result of said negligence in both official and personal capacity, the Defendant, Roy Lee Adams Jr., proximately caused the death of Sumner Han Howard, who passed away on July 22, 2024.

WHEREFORE, Plaintiff, Rebecca Han Howard, as Personal Representative of the Estate of Sumner Han Howard, deceased, requests that the jury selected to hear this case render a verdict for the Plaintiff against the Defendant, Roy Lee Adams Jr., and that it award punitive damages as provided for wrongful death claims under Alabama law in an amount which will adequately reflect the enormity of the Defendant's wrong in causing the death of Sumner Han Howard and which will deter similarly caused deaths from occurring in the future.

**SECOND CAUSE OF ACTION: WANTONNESS ON THE PART
OF DEFENDANT ROY LEE ADAMS JR.**

8. Plaintiff re-alleges and adopts by incorporation all allegations as found in her FIRST CAUSE OF ACTION.

9. Plaintiff, Rebecca Han Howard, as Personal Representative of the Estate of Sumner Han Howard, deceased, alleges that on or about July 9, 2024, Sumner Han Howard was traveling on Old Shell Road when the Defendant, Roy Lee Adams Jr., coming from Mobile Infirmary Boulevard wantonly operated a motor vehicle in a reckless manner causing a collision.

10. As a result of said wantonness in both official and personal capacity, the Defendant, Roy Lee Adams Jr., proximately caused the death of Sumner Han Howard on July 9, 2024.

WHEREFORE, Plaintiff, Rebecca Han Howard, as Personal Representative of the Estate of Sumner Han Howard, deceased, requests that the jury selected to hear this case render a verdict for the Plaintiff against the Defendant, Roy Lee Adams Jr., and that it award punitive damages as provided for wrongful death claims under Alabama law in an amount which will adequately reflect the enormity of the Defendant's wrong in causing the death of Sumner Han Howard and which will deter similarly caused deaths from occurring in the future.

**THIRD CAUSE OF ACTION: NEGLIGENT AND/OR WANTON ENTRUSTMENT BY
DEFENDANT CITY OF MOBILE**

11. Plaintiff re-alleges and adopts by incorporation all allegations as found in her FIRST CAUSE OF ACTION and SECOND CAUSE OF ACTION.

12. Plaintiff, Rebecca Han Howard, as Personal Representative of the Estate of Sumner Han Howard, deceased, further alleges that Defendant City of Mobile negligently and/or wantonly entrusted the operation of a vehicle to Defendant, Roy Lee Adams Jr., with knowledge that Defendant, Roy Lee Adams Jr., was unfit to operate a motor vehicle safely.

13. Plaintiff alleges that Sumner Han Howard's death was a proximate result of Defendant, City of Mobile's, negligence, and/or wantonness.

WHEREFORE, Plaintiff, Rebecca Han Howard, as Personal Representative of the Estate of Sumner Han Howard, deceased, requests that the jury selected to hear this case render a verdict for the Plaintiff against the Defendant, City of Mobile, and that it award punitive damages as

provided for wrongful death claims under Alabama law in an amount which will adequately reflect the enormity of the Defendant's wrong in causing the death of Sumner Han Howard and which will deter similarly caused deaths from occurring in the future.

**FOURTH CAUSE OF ACTION: NEGLIGENCE AND/OR WANTONNESS OF
DEFENDANT, CITY OF MOBILE, UNDER DOCTRINE OF RESPONDEAT
SUPERIOR**

14. Plaintiff re-alleges and adopts by incorporation all allegations as found in her FIRST CAUSE OF ACTION, SECOND CAUSE OF ACTION, and THIRD CAUSE OF ACTION.

15. Plaintiff, Rebecca Han Howard, as Personal Representative of the Estate of Sumner Han Howard, deceased, further alleges that at the time Defendant, Roy Lee Adams Jr., negligently and/or wantonly caused the death of Sumner Han Howard, he was acting as an employee, agent, and/or servant within the line and scope of his employment with City of Mobile Police Department.

16. Plaintiff alleges the City of Mobile is legally responsible for the conduct of its employee, agent and/or servant, Roy Lee Adams Jr., under the doctrine of Respondeat Superior (vicarious liability).

WHEREFORE, Plaintiff, Rebecca Han Howard, as Personal Representative of the Estate of Sumner Han Howard, deceased, requests that the jury selected to hear this case render a verdict for the Plaintiff against the Defendant, City of Mobile, and that it award punitive damages as provided for wrongful death claims under Alabama law in an amount which will adequately reflect the enormity of the Defendant's wrong in causing the death of Sumner Han Howard and which will deter similarly caused deaths from occurring in the future.

FIFTH CAUSE OF ACTION: NEGLIGENT AND/OR WANTON HIRING AND/OR SUPERVISION OF DEFENDANT, ROY LEE ADAMS JR.

17. Plaintiff re-alleges and adopts by incorporation all allegations as found in her FIRST CAUSE OF ACTION, SECOND CAUSE OF ACTION, THIRD CAUSE OF ACTION, and FOURTH CAUSE OF ACTION.

18. Plaintiff, Rebecca Han Howard, as Personal Representative of the Estate of Sumner Han Howard, deceased, further alleges that the Defendant, City of Mobile through its Police Department, negligently and/or wantonly employed, trained and/or supervised the Defendant, Roy Lee Adams Jr., and as a result ultimately led to the actions that caused the death of Sumner Han Howard.

WHEREFORE, Plaintiff, Rebecca Han Howard, as Personal Representative of the Estate of Sumner Han Howard, deceased, requests that the jury selected to hear this case render a verdict for the Plaintiff against the Defendant, City of Mobile, and that it award punitive damages as provided for wrongful death claims under Alabama law in an amount which will adequately reflect the enormity of the Defendant's wrong in causing the death of Sumner Han Howard and which will deter similarly caused deaths from occurring in the future.

SIXTH CAUSE OF ACTION: NEGLIGENCE AND/OR WANTONNESS OF FICTITIOUS DEFENDANTS A; B; C; AND D

19. Plaintiff re-alleges and adopts by incorporation all allegations as found in her FIRST CAUSE OF ACTION, SECOND CAUSE OF ACTION, THIRD CAUSE OF ACTION, FOURTH CAUSE OF ACTION, and FIFTH CAUSE OF ACTION.

20. Rebecca Han Howard, as Personal Representative of the Estate of Sumner Han Howard, deceased, further alleges that Defendants, A; B; C; and D; negligently and wantonly failed to properly and adequately manufacture, operate, design, repair, and/or maintain the automobile owned and/or operated by Defendant, Roy Lee Adams Jr. and/or City of Mobile, and that said negligence and/or wantonness was a proximate cause of the death of Sumner Han Howard.

WHEREFORE, Plaintiff, Rebecca Han Howard, as Personal Representative of the Estate of Sumner Han Howard, deceased, requests that the jury selected to hear this case render a verdict for the Plaintiff against the Defendants, A; B; C; and D; jointly and severally, and that it award punitive damages as provided for wrongful death claims under Alabama law in an amount which will adequately reflect the enormity of the Defendant's wrong in causing the death of Sumner Han Howard and which will deter similarly caused deaths from occurring in the future.

**SEVENTH CAUSE OF ACTION: NEGLIGENT and WANTON ENTRUSTMENT OF
FICTITIOUS DEFENDANTS E; F; G; and H**

21. Plaintiff re-alleges and adopts by incorporation all allegations as found in her FIRST CAUSE OF ACTION, SECOND CAUSE OF ACTION, THIRD CAUSE OF ACTION, FOURTH CAUSE OF ACTION, FIFTH CAUSE OF ACTION and SIXTH CAUSE OF ACTION.

22. Plaintiff, Rebecca Han Howard, as Personal Representative of the Estate of Sumner Han Howard, deceased, further alleges that Defendants, E; F; G; and H; negligently and/or wantonly entrusted the operation of a vehicle to Defendant, Roy Lee Adams Jr. and/or Fictitious Defendants M, N, O and/or P, with knowledge that Defendant, Roy Lee Adams Jr. and/or Fictitious Defendants M, N, O and/or P, was unfit to operate a motor vehicle safely.

23. Plaintiff further allege the Defendants' E; F; G; and H; negligence and/or wantonness, was a proximate cause of the death of Sumner Han Howard.

WHEREFORE, Plaintiff, Rebecca Han Howard, as Personal Representative of the Estate of Sumner Han Howard, deceased, requests that the jury selected to hear this case render a verdict for the Plaintiff against the Defendants, E; F; G; and H; jointly and severally, and that it award punitive damages as provided for wrongful death claims under Alabama law in an amount which will adequately reflect the enormity of the Defendant's wrong in causing the death of Sumner Han Howard and which will deter similarly caused deaths from occurring in the future.

**EIGHTH CAUSE OF ACTION: NEGLIGENCE AND/OR WANTONNESS OF
FICTITIOUS DEFENDANTS I; J; K; and L UNDER THE DOCTRINE OF
RESPONDEAT SUPERIOR**

24. Plaintiff re-alleges and adopts by incorporation all allegations as found in her FIRST CAUSE OF ACTION, SECOND CAUSE OF ACTION, THIRD CAUSE OF ACTION, FOURTH CAUSE OF ACTION, FIFTH CAUSE OF ACTION, SIXTH CAUSE OF ACTION, and SEVENTH CAUSE OF ACTION.

25. Plaintiff, Rebecca Han Howard, as Personal Representative of the Estate of Sumner Han Howard, deceased, further alleges that at the time Defendant, Roy Lee Adams Jr. and/or Defendants M, N, O and/or P, negligently and/or wantonly caused Sumner Han Howard's death, Defendant, Roy Lee Adams Jr., and/or Defendants M, N, O and/or P, were acting within the line and scope of his employment with Defendants I; J; K; and L; and was therefore acting as an employee, agent and/or servant for Defendants I; J; K; and L.

WHEREFORE, Plaintiff, Rebecca Han Howard, as Personal Representative of the Estate of Sumner Han Howard, deceased, requests that the jury selected to hear this case render a verdict for the Plaintiff against the Defendants, I; J; K; and L; jointly and severally, and that it award punitive damages as provided for wrongful death claims under Alabama law in an amount which

will adequately reflect the enormity of the Defendant's wrong in causing the death of Sumner Han Howard and which will deter similarly caused deaths from occurring in the future.

**NINTH CAUSE OF ACTION: NEGLIGENCE AND/OR WANTONNESS OF
FICTITIOUS DEFENDANTS M; N; O; and P**

26. Plaintiff re-alleges and adopts by incorporation all allegations as found in her FIRST CAUSE OF ACTION, SECOND CAUSE OF ACTION, THIRD CAUSE OF ACTION, FOURTH CAUSE OF ACTION, FIFTH CAUSE OF ACTION, SIXTH CAUSE OF ACTION, SEVENTH CAUSE OF ACTION, and EIGHTH CAUSE OF ACTION.

27. Plaintiff, Rebecca Han Howard, as Personal Representative of the Estate of Sumner Han Howard, deceased, further alleges that Defendants, M; N; O; and P; are the individual or individuals who negligently and/or wantonly operated the motor vehicle involved in the collision on July 9, 2024, or were responsible for the accident made the basis of this Complaint, whom at the time of this Complaint are unknown by name to the Plaintiff.

28. Plaintiff further alleges that Defendants' M; N; O; and P; negligence and/or wantonness, was a proximate cause of the death of Sumner Han Howard.

WHEREFORE, Plaintiff, Rebecca Han Howard, as Personal Representative of the Estate of Sumner Han Howard, deceased, requests that the jury selected to hear this case render a verdict for the Plaintiff against the Defendants, M; N; O; and P; jointly and severally, and that it award punitive damages as provided for wrongful death claims under Alabama law in an amount which will adequately reflect the enormity of the Defendant's wrong in causing the death of Sumner Han Howard and which will deter similarly caused deaths from occurring in the future.

PLAINTIFF RESPECTFULL DEMANDS TRIAL BY A STRUCK JURY

s/Stephen C. Moore

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s/Frederick J. Moore III

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PLEASE SERVE THE DEFENDANTS

Roy Lee Adams Jr.

Serve Personally by Process Server

City of Mobile

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