

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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Sarah Smith,

Civil Action No. [XXX]

Plaintiff,

v.

COMPLAINT

John Doe,

Defendant.

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CIVIL COMPLAINT

1. Plaintiff, Sarah Smith, brings this complaint against Defendant, John Doe, for damages arising from torts committed by John Doe during September and October of the year 2025.
2. Plaintiff, Sara Smith, is resident of the County of Rockland County and State of New York.
3. Defendant, John Doe, is a contractor who resides and does business in the state of New Jersey.
4. The incidents giving rise to this cause of action occurred in the County of Rockland County and State of New York, at the home of Sarah Smith.

JURISDICTION AND VENUE

5. Plaintiff is domiciled in the state of New York. Defendant is domiciled and does business in the state of New Jersey. The amount in controversy is more than \$75,000. Therefore, there is subject matter jurisdiction in this court under 28 U.S.C. § 1332(a)(1).
6. All of the events giving right to this claim occurred in Rockland County, New York, which is part of the Southern District of New York. Therefore, this court is appropriate venue under 28 USC § 1391 (b)(2).

FACTS

7. Plaintiff hired Defendant as a contractor to work on her home. During the project, Defendant left a circular saw with the safety guard removed. Plaintiff's seven-year-old daughter, Lily, found the saw and accidentally injured her hand while playing with it.
8. Defendant John demanded additional money from Plaintiff. When Plaintiff refused to pay, Defendant angrily threw a hammer at her parked car, shattering the windshield.
9. Plaintiff slipped on a puddle of water left by his crew and sprained her ankle.
10. During the confrontation, Defendant made aggressive gestures toward her and yelled, "You'll be sorry for this!"

11. Defendant posted statements about Plaintiff on social media, suggesting she was dishonest in her business dealings and refused to pay for services rendered. As a result of these posts, Plaintiff lost several clients and saw a significant decline in her business.

12. Later, Defendant entered Plaintiff's backyard during a family gathering, without permission, to confront her. His unexpected presence and aggressive tone in front of her guests caused Sarah severe emotional distress. He only left when Sarah's husband threatened to call the police.

COUNT I – NEGLIGENCE (Injury to Lily)

13. Plaintiff incorporates by reference each previous paragraph of this Complaint as if fully set forth herein.

14. Defendant owed a duty to Plaintiff and her family to exercise due care when working on Plaintiff's property. Defendant breached this duty by leaving a circular saw with the safety guard removed in Plaintiff's house where it could be freely accessed by members of Plaintiff's family.

15. As a proximate result of this breach of duty, Plaintiff's daughter, Lily, injured her hand while playing with the saw. This injury caused Lily substantial pain and suffering and medical bills.

COUNT II – TRESPASS TO CHATTEL (Damage to Car)

16. Plaintiff incorporates by reference each previous paragraph of this Complaint as if fully set forth herein.

17. Plaintiff intentionally threw a hammer in the direction, knowing that the hammer could cause damage were it to strike the Plaintiff's car's windshield.

18. As a result of this intentional action, Defendant's hammer shattered Plaintiff's windshield, causing the windshield to have to be replaced at a cost of \$500.

COUNT III – NEGLIGENCE (Plaintiff's Sprained Ankle)

19. Plaintiff incorporates by reference each previous paragraph of this Complaint as if fully set forth herein.

20. Defendant owed a duty to Plaintiff and her family to exercise due care when working on Plaintiff's property. Defendant breached this duty by negligently allowing a puddle of water to collect on the work site and failing to clean up the puddle within a reasonable time.

21. As a proximate result of this breach of duty, Plaintiff slipped on this puddle, thereby spraining her ankle and suffering pain and medical expenses.

COUNT IV – INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS (Confrontation at Job Site)

22. Plaintiff incorporates by reference each previous paragraph of this Complaint as if fully set forth herein.

23. Plaintiff entrusted Defendant with renovating her home and allowed him onto her property, putting the safety of herself and her family in his hands.

24. Defendant abused that trust by making aggressive gestures and yelling threats towards Plaintiff while on Plaintiff's property.

25. Abusing the Plaintiff's trust and yelling threats and making aggressive gestures against Plaintiff in her home constitutes extreme and outrageous conduct.

26. As a result of this extreme and outrageous conduct, Plaintiff suffered severe emotional distress.

COUNT V – DEFAMATION

27. Plaintiff incorporates by reference each previous paragraph of this Complaint as if fully set forth herein.

28. Defendant posted falsely on social media that Plaintiff was dishonest in her business dealings and refused to pay for services rendered. This constituted statements that harmed Plaintiff's reputation in the community.

29. As a result of these defamatory statements, Plaintiff lost several clients and saw a significant decline in her business, causing her monetary damages.

COUNT VI – TRESPASS TO LAND

30. Plaintiff incorporates by reference each previous paragraph of this Complaint as if fully set forth herein.

31. Defendant entered Plaintiff's real property without permission.

COUNT VII - INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS (At Family Gathering)

32. Plaintiff incorporates by reference each previous paragraph of this Complaint as if fully set forth herein.

33. On Plaintiff's property and during her family gathering, Defendant aggressively confronted Plaintiff about the matters giving rise to this lawsuit.

34. This confrontation, taking place on Plaintiff's property and in the presence of her family, constitutes extreme and extreme and outrageous conduct.

35. As a result of this extreme and outrageous conduct, Plaintiff suffered severe emotional distress.

WHEREFORE, Plaintiff demands...

- a. Monetary damages in the amount of \$50,000 to compensate for Lily's injuries.
- b. Monetary damages in the amount of \$500 to compensate for the broken windshield.
- c. Monetary damages in the amount of \$10,000 to compensate for Plaintiff's sprained ankle
- d. Monetary damages in the amount of \$25,000 to compensate for the emotional distress suffered under Counts IV and VII.
- e. Monetary damages in the amount of \$25,000 to compensate for the damages suffered due to the defamation posted about Plaintiff under Count V.
- f. \$100,000 in punitive damages
- g. A jury trial to try this action

- h. Court costs and attorney's fees
- i. Such further relief as the court deems just and proper

Plaintiff, Sarah Smith

By:

Shlomo Haas, Attorney

My Address 1

My Address 2

VERIFICATION

SARAH SMITH being duly sworn, deposes and says:

I am the plaintiff in the above-entitled action. I have read the foregoing complaint and know the contents thereof. The same are true to my knowledge, except as to matters therein stated to be alleged on information and belief and as to those matters I believe them to be true.

SARAH SMITH, PLAINTIFF

<notarization>