

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,

Jury Trial Demanded

Defendant.

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CIVIL COMPLAINT

1. Plaintiff, Sarah Smith (hereinafter referred to as "Plaintiff), brings this complaint against Joe Doe (hereinafter referred to as "Defendant") for damages arising from a series of incidents that occurred in September and October of 2025.
2. Plaintiff is domiciled in and is a resident of the County of Rockland and state of New York.
3. Upon information and belief, Defendant is domiciled in and does business in the state of New Jersey.
4. All of the incidents giving rise to this cause of action occurred at the Plaintiff's home, which is in the County of Rockland and state of New York.

FACTS

5. On or about September 1, 2025, Plaintiff hired Defendant to renovate her kitchen. During the work, Defendant left a circular saw with the safety guard removed on the work site. Plaintiff's seven-year-old daughter, Lily, found the saw and accidentally injured her hand while playing with it.
6. On or about September 2, 2025, Defendant confronted Plaintiff on a matter of a fee dispute. During the confrontation, Defendant threw a hammer at Plaintiff's parked car, shattering the windshield.
7. During the confrontation, Plaintiff slipped on a puddle of water left by Defendant's crew and sprained her ankle.
8. Defendant also made aggressive gestures towards Plaintiff and yelled, "You'll be sorry for this!"
9. On or about September 15, 2025, Defendant posted defamatory statements on social media about Plaintiff, suggesting she was dishonest in her business dealings and refused to pay for services rendered. As a result, Plaintiff lost several clients and saw a significant decline in her business.
10. On or about October 10, 2025, Defendant entered Plaintiff's backyard during a family gathering, without permission, and confronted her. This 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.

JURISDICTION AND VENUE

11. Plaintiff is domiciled in the state of New York. Defendant is domiciled in the state of New Jersey. Therefore, they are citizens of different States. The amount in controversy is more than \$75,000.

12. Therefore, the United States District Court has subject matter jurisdiction over this case under 28 USC § 1332.

13. All of the events giving rise to this claim occurred in Rockland County, New York, which is within the Southern District of New York.

14. Therefore, venue in the Southern District of New York is proper under 28 USC § 1331.

Count I – Negligence (Lily's Injury)

15. Plaintiff incorporates by reference each previous paragraph as if fully set forth herein.

16. Defendant owed a duty to Plaintiff and her family to exercise due care in working on Plaintiff's kitchen renovation project. Defendant breached that duty by negligently leaving an unsecured circular saw in an area that could be accessed by Plaintiff's children.

17. As a proximate result of the defendant's negligence, Plaintiff's daughter, Lily, injured her hand while playing with the unsecured saw. The injury caused Lily to suffer pain and suffering and medical bills in the amount of \$50,000.

Count II – Trespass to Chattel (Broken Windshield)

18. Plaintiff incorporates by reference each previous paragraph as if fully set forth herein.

19. Defendant intentionally threw a hammer in the direction of Plaintiff's car, knowing that a thrown hammer could damage a car.

20. As a result of this intentional throwing, the Plaintiff's windshield shattered, causing her damages of \$1,000.

Count III – Negligence (Plaintiff's Sprained Ankle)

21. Plaintiff incorporates by reference each previous paragraph as if fully set forth herein.

22. Defendant owed a duty to Plaintiff and her family to exercise due care in working on Plaintiff's kitchen renovation project. Defendant breached that duty by negligently allowing a puddle of water caused by the work to sit unremedied for an unreasonable amount of time.

23. As a proximate result of this breach of duty, Plaintiff slipped on the water and sprained her ankle. This caused her pain and suffering and medical expenses in the amount of \$10,000.

Count IV – Assault

24. Plaintiff incorporates by reference each previous paragraph as if fully set forth herein.

25. Defendant used aggressive gestures and harsh threats toward Plaintiff during an argument.

26. Because of this, and in light of Defendant's other violent actions towards Plaintiff and her property, Plaintiff was reasonable in fearing that Defendant was about to attack her and subject her to a harmful or offensive contact.

27. As a result of this fear, defendant suffered psychological distress in the amount of \$5,000.

Count V – Intentional Infliction of Emotional Distress (Sep. 2 confrontation)

25. Plaintiff incorporates by reference each previous paragraph as if fully set forth herein.

26. Plaintiff's aggressive gestures and harsh threats, coming after his violent hammer attack on Plaintiff's car constitutes extreme and outrageous conduct towards Plaintiff.

27. As a result of this conduct, Plaintiff suffered severe emotional distress and sustained therapy bills in the amount of \$10,000.

Count VI – Defamation

28. Plaintiff incorporates by reference each previous paragraph as if fully set forth herein.

29. Defendant posted false information on social media that Plaintiff failed to pay her bills and impugned her honesty with these posts.

30. These posts harmed Plaintiff's reputation in the community and caused her to lose several clients and suffer a significant decline in her business. This caused damages in the amount of \$20,000.

Count VII – Trespass to Land

31. Plaintiff incorporates by reference each previous paragraph as if fully set forth herein.

32. Plaintiff intentionally and without permission, invaded Plaintiff's property to confront her while her relatives were there.

33. As a result of this invasion, Plaintiff suffered embarrassment and psychological distress in the amount of \$5,000. He also stepped on Plaintiff's roses and ruined them, causing damages of \$12.99.

Count VIII - Intentional Infliction of Emotional Distress (October 10 confrontation)

34. Plaintiff incorporates by reference each previous paragraph as if fully set forth herein.
35. On Plaintiff's property and during a family gathering, Defendant aggressively confronted Plaintiff about the matters discussed herein.
36. The aggressive confrontation, taking place on Plaintiff's property and in front of her family, constituted extreme and outrageous conduct.
37. This caused Plaintiff severe emotional distress in amount of \$10,000.

WHEREFORE, Plaintiff demands...

- a. Monetary damages of \$50,000 under Count I.
- b. Monetary damages of \$1,000 under Count II.
- c. Monetary damages of \$10,000 under Count III.
- d. Monetary damages of \$5,000 under Count IV.
- e. Monetary damages of \$10,000 under Count V.
- f. Monetary damages of \$20,000 under Count VI.
- g. Monetary damages of \$5,012.99 under Count VII.
- h. Monetary damages of \$10,000 under Count VIII.
- i. Punitive damages in the amount of \$100,000.
- j. A jury to try this action
- k. Plaintiff's court costs to be paid by Defendant
- l. Plaintiff's attorneys' fees to be paid by Defendant
- m. Such further relief as the court deems just and proper

Plaintiff, Sara Smith

Shlomo Haas, Attorney for Plaintiff
Address 1
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