

IN THE CIRCUIT COURT FOR BALTIMORE CITY, MARYLAND

JOHN RUNDLETT, INC - Plaintiff

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v

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CASE NO. 24-C-02-00380

DONALD POSNER - Defendant

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COMPLAINT

Plaintiff, John Rundlett, by his undersigned counsel, sues Defendant Donald Posner and, in support, states as follows:

COUNT I: NEGLIGENCE

1. Plaintiff John Rundlett is a resident of Baltimore City, Maryland.
2. Defendant Donald Posner is a resident of [Anne Arundel County](#), Maryland.
3. On or about March 10, 2001, Bosley was operating a Bobcat backhoe ("the Bobcat") on his property at 644 Snail Drive in Glen Burnie, Maryland.
4. The Bobcat was stuck and Bosley was unable to move it forward. Bosley called to Plaintiff to ask him for assistance. Plaintiff surveyed the land on which the Bobcat sat and was unable to determine why the Bobcat was stuck.
5. Plaintiff began to walk back to his property. Moments later, the Defendant, operating the Bobcat in a negligent and careless manner, hit the Plaintiff without warning, pining him up against an automobile, causing Plaintiff severe injury.
6. At all times herein mentioned, Plaintiff was acting in a reasonable, prudent manner.
7. It was the duty of the Defendant to use due care to watch where he was driving, to maintain a proper lookout, to reduce speed to avoid an accident, to maintain a proper distance between his vehicle and the Plaintiff, and to control his vehicle in order to avoid a collision.

8. Defendant breached that duty of due care by failing to use due care by watching where he was driving, failing to maintain a proper lookout, failing to reduce speed to avoid an accident, failing to maintain a proper distance between his vehicle and the Plaintiff, and failing to control his vehicle in order to avoid a collision with Plaintiff.
9. As a direct and proximate result of the negligence of the Defendant, Plaintiff has suffered physical injuries and mental anguish. Plaintiff has incurred expenses for medical care and treatment, medicines, nursing services, physical therapy, and other types of medical related attention. Plaintiff also has lost wages and will continue to lose such wages in the future. Plaintiff continues to suffer physical pain and discomfort from this accident, including a broken wrist that will not heal and two herniated discs at C4-C5 and C5-C6 that will require surgery. All the above damages were directly and proximately caused by the aforementioned negligence of the Defendant and were incurred without contributory negligence or assumption of the risk on the part of the Plaintiff. Plaintiff also did not have the opportunity to avoid this accident.

WHEREFORE, the Plaintiff demands judgment against the Defendant for TWO MILLION DOLLARS (\$2,000,000.00) plus interests and costs for Count I of Plaintiff's Complaint.

DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury.

Respectfully submitted,
MILLER & ZOIS, LLC

Ronald V. Miller, Jr.
Empire Towers, Suite 615
7310 Ritchie Highway
Glen Burnie, Maryland 21061
(410)553-6000
(410)760-8922 (fax)