

COMMONWEALTH OF KENTUCKY
CALLOWAY CIRCUIT COURT
Civil Action No. 19-CI-_____

SUSAN HOOD

PLAINTIFF

VS.

COMPLAINT

CITY OF MURRAY,
KENTUCKY

serve: Mayor Bob Rogers
500 Main Street
Murray, KY 42071

AND

CITY OF MURRAY PUBLIC WORKS
AND UTILITIES
DEFENDANTS

serve: Tom Kutcher
200 Andrus Drive
Murray, KY 42071

COUNT I

Comes the Plaintiff, Susan Hood, by and through counsel, for her Complaint against the City of Murray, Kentucky and states as follows:

1. At all times herein mentioned Plaintiff was an actual and continuous resident of the Commonwealth of Kentucky and the acts and events complained of herein occurred within Calloway County, Kentucky.

2. Plaintiff states that summons should be issued and served upon City of Murray, Kentucky through its agent, The Honorable Bob Rogers, Mayor of Murray, 500 Main Street, Murray, Kentucky 42071.

3. On or about September 5, 2018, Plaintiff was walking with her daughter on a sidewalk which abutted Olive Street in Murray, Calloway County, Kentucky. The plaintiff and her daughter decided to cross the street to avoid an upcoming lawnmower. When the plaintiff stepped off the sidewalk and into the grass that separates the street from the sidewalk, she stepped on a water meter lid cover. When her left foot landed on the lid cover, the lid cover flipped open and her left leg fell into the water meter opening. The plaintiff was injured as a result of her fall.

4. At the time and place above mentioned, the City of Murray, Kentucky negligently and recklessly created said water meter lid to be unsecure and left it in an unreasonable and unsafe condition and knowing of its unsafe condition, failed to properly warn of its condition.

5. As a result of the aforementioned negligence of the City of Murray, Kentucky, Plaintiff has incurred bodily injuries both temporary and permanent; has been forced to incur hospital, doctor, medical and drug expenses and will be forced to incur same in the future; she has experienced physical and mental pain and suffering and will be forced to experience same in the future; her ability to earn money has been permanently impaired; and she has been damaged thereby.

COUNT II

Comes the Plaintiff, Susan Hood, by and through counsel, for her Complaint against the City of Murray Public Works and Utilities (hereinafter referred to as Public Works) and states as follows:

1. Plaintiff reiterates and readopts each and every allegation contained in Count I of this Complaint as if fully set forth herein.

2. Plaintiff states that summons should be issued and served upon Public Works, Tom Kutcher, Murray Public Works and Utilities, 200 Andrus Drive, Murray, Kentucky 42071.

3. At the time and place above mentioned, Defendant Public Works negligently and recklessly created said water meter lid to be unsecure and left it in an unreasonable and unsafe condition and knowing of its unsafe condition, failed to properly warn of its condition.

4. As a result of the aforementioned negligence of Public Works, Plaintiff has incurred bodily injuries both temporary and permanent; has been forced to incur hospital, doctor, medical and drug expenses and will be forced to incur same in the future; she has experienced physical and mental pain and suffering and will be forced to experience same in the future; her ability to earn money has been permanently impaired; and she has been damaged thereby.

WHEREFORE, Plaintiff, Susan Hood demands judgment against the Defendants, City of Murray, Kentucky and City of Murray Public Works and Utilities, jointly and severally, in an amount in excess of Five Thousand (\$5,000.00) Dollars; a trial by jury; her costs incurred herein; and any and all other relief to which she may appear entitled.

RESPECTFULLY SUBMITTED

/s/ David Troutman
DAVID C. TROUTMAN
MARK EDWARDS
EDWARDS & KAUTZ, PLLC
P. O. Box 1837
Paducah, KY 42002
(270) 442-9000 Phone
(270) 443-4304 Fax
dtroutman@edwardsandkautz.com

ATTORNEY FOR PLAINTIFF

