

DOCKET NO: [#####]	:	SUPERIOR COURT
	:	
[PLAINTIFF(S)]	:	J. D. OF [TOWN]
	:	
V.	:	AT [TOWN]
	:	
[DEFENDANT(S)]	:	DATE

**TRUCKING COMPLAINT EXAMPLE –
DECEASED PLAINTIFF WITH MULTIPLE DEFEDANTS (DRIVER, TRUCK OWNER,
TRAILER OWNER, TRUCK AND TRAILER LESSEE)**

COUNT ONE: (Negligence v. [DEFENDANT 1])

1. On or about [DATE OF PROBATE APPOINTMENT], the plaintiff, [PLAINTIFF ESTATE ADMIN/EXEC], was duly appointed [ADMIN/EXEC] of the Estate of [HIS/HER] late [WIFE/HUSBAND], [DECEASED PLAINTIFF], by the Probate Court for the District of [TOWN], Connecticut, and [HE/SHE] is qualified to act in such capacity.

2. On or about [DATE OF ACCIDENT], shortly prior to [TIME OF ACCIDENT], the defendant [DEFENDANT DRIVER] was operating a [YEAR MAKE OF TRACTOR] pulling a [YEAR MAKE OF TRIALER] (hereafter referred to collectively as “The Truck”).

3. At all relevant times herein, the [YEAR MAKE OF TRACTOR], marker [MARKER#], being operated by [DEFENDANT DRIVER] was owned by the defendant [DEFENDANT TRUCK OWNER], a resident of [TOWN, STATE]. The tractor was registered in [STATE].

4. At all relevant times herein, the [YEAR MAKE OF TRACTOR] owned by [DEFENDANT TRUCK OWNER] allegedly had been leased to the defendant [DEFENDANT LESSEE CO], companies of which defendant [DEFENDANT LESSEE CO OWNER] is the sole proprietor.

5. At all relevant times herein, the [YEAR MAKE OF TRAILER] being operated by [DEFENDANT DRIVER] was owned by [DEFENDANT TRAILER OWNER], with its principal place of business located in [TOWN/STATE].

6. At the time of the subject incident, [DEFENDANT DRIVER] was operating The Truck in order to deliver cargo from a [STATE]-based distributor to [COMPANY] in Connecticut, including the store in [TOWN].

7. On the date and at the time in question, [DEFENDANT DRIVER] approached the intersection of [ROAD 1] and [ROAD 2] while driving in a westerly direction on [ROAD 1]. The intersection marks the end of [ROAD 1], and forms a T intersection with [ROAD 2].

8. After reaching the end of [ROAD 1], [DEFENDANT DRIVER] failed to stop and proceeded directly through the T intersection without turning, crossing over [ROAD 2] and leaving the travelled portion of the roadway, and then fortuitously entered into a parking area located on the westerly side of [ROAD 2], opposite said [ROAD 1] intersection.

9. Upon realizing his mistake, [DEFENDANT DRIVER] brought The Truck to a stop in such a position that the front end of The Truck was located in the parking area,

while the rear portion of the trailer was stopped blocking [ROAD 2] in a perpendicular fashion. After realizing his error at the T intersection, [DEFENDANT DRIVER] then attempted to reverse The Truck, thereby continuing to block [ROAD 2].

10. [DEFENDANT DRIVER] failed to recognize the danger caused by his vehicle to travelers on [ROAD 2], especially in view of hazardous weather conditions consisting of heavy fog in the area of [ROAD 2] and [ROAD 1]'s intersection.

11. On or about [DATE OF ACCIDENT], shortly prior to [TIME OF ACCIDENT], the plaintiff's decedent, [DECEASED PLAINTIFF], on his way to work, was operating his motor vehicle in a southerly direction on [ROAD 2], a town road in [TOWN], Connecticut, approaching the intersection with [ROAD 1].

12. As he entered the intersection, [DECEASED PLAINTIFF]'s vehicle violently collided with the trailer of The Truck which was fully obstructing the southbound lane of travel on [ROAD 2]. The impact and relative size of the two vehicles caused [DECEASED PLAINTIFF]'s vehicle to slide underneath the trailer, shearing off the roof of [DECEASED PLAINTIFF]'s vehicle and causing the catastrophic and fatal injuries hereinafter set forth.

13. At all times relevant hereto, The Truck being operated by the defendant [DEFENDANT DRIVER] was a "commercial motor vehicle" with gross weight in excess of 26,001 pounds, as defined in Conn. Gen. Stat. § 14-1(a)(13) and 49 C.F.R. § 383.5, and accordingly was subject to the Federal Motor Carrier Safety Regulations, 49 C.F.R. Parts 325-399 ("FMCSR"), including those FMCSR provisions adopted by the

Connecticut Department of Motor Vehicles under Connecticut State Agency Regulations
§ 14-163c-1, *et seq.*

14. As a result of the collision caused by the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was caused to sustain and suffer severe personal injuries and losses as hereinafter set forth, ultimately resulting in his death.

15. The fatal injuries sustained by the plaintiff's decedent were caused by the negligent and careless acts and/or omissions of the defendant [DEFENDANT DRIVER] in one or more of the following ways:

- a. IN THAT the defendant operated The Truck in an unsafe and unreasonable manner;
- b. IN THAT the defendant failed to keep The Truck in a proper lane of travel;
- c. IN THAT the defendant failed to keep The Truck under proper and reasonable control;
- d. IN THAT the defendant failed to operate The Truck in a reasonably safe manner given the weather conditions and fog in the area of the subject collision;
- e. IN THAT the defendant failed to keep a proper and reasonable lookout for other motor vehicles upon the roadway;
- f. IN THAT the defendant created a hazard in the roadway by stopping his vehicle in such fashion as to entirely block a lane of travel;
- g. IN THAT the defendant created and furthered a hazard in the roadway by attempting to execute a backing maneuver without proper clearance or warning, and under circumstances where it was unsafe to do so;
- h. IN THAT the defendant failed to take reasonable steps to ensure oncoming motor vehicles could visualize the hazard he had created in the roadway with time to stop or avoid The Truck, although by a proper and

reasonable exercise of his faculties, he could have and should have done so;

- i. IN THAT the defendant failed to take reasonable precaution and exercise reasonable vigilance to ensure there were no oncoming vehicles before executing his backing maneuver;
- j. IN THAT the defendant failed to call 911 in an immediate and timely manner;
- k. IN THAT the defendant failed to properly plan his route, and thereafter failed to properly study and learn his route, in order to ensure the safe operation of his vehicle during the course of his trip.
- l. IN THAT the defendant operated The Truck recklessly, having regard to the width, traffic and use of said roadway, so as to endanger the lives of others, including the plaintiff's decedent, in violation of Conn. Gen. Stat. § 14-222;
- m. IN THAT the defendant unsafely backed The Truck into oncoming traffic at a perpendicular angle, in violation of Conn. Gen. Stat. § 14-243(b);
- n. IN THAT the defendant failed to obey traffic signals on the road by driving through the turn-only T intersection and by then backing the Truck into the roadway, in violation of Conn. Gen. Stat. § 14-299 and/or § 14-298;
- o. IN THAT the defendant committed misconduct with a motor vehicle which caused the death of plaintiff's decedent, in violation of Conn. Gen. Stat. § 53a-57;
- p. IN THAT the defendant reported for duty and operated The Truck while he was not qualified to do so, in violation of 49 C.F.R. § 383.51, *et seq.*;
- q. IN THAT the defendant operated a commercial motor vehicle when he did not have sufficient understanding of the English language as to allow for conversation and/or reasonable comprehension of traffic signs, in violation of 49 C.F.R. § 391.11(b)(2);
- r. IN THAT the defendant failed to comply with State and Local rules, in violation of 49 C.F.R. § 392.2;

- s. IN THAT the defendant failed to exercise extreme caution as required in hazardous weather conditions, in violation of 49 C.F.R. § 392.14;
- t. IN THAT the defendant failed to use warning devices to signal his stopped vehicle impeding the roadway, in violation of 49 C.F.R. §§ 393.95(f) and/or 392.22;
- u. IN THAT the defendant did not have sufficient knowledge of safe backing and hazard perception while operating a commercial motor vehicle, in violation of 49 C.F.R. § 383.111;
- v. IN THAT the defendant operated his vehicle in a manner that was unsafe, in violation of 49 C.F.R. § 396.7; and
- w. IN THAT the defendant failed to comply with the Federal Motor Carrier Safety Regulations, in violation of 49 C.F.R. § 392.1.

16. As a result of the negligence and carelessness of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was caused severe injuries as a result of the collision. Subsequent examination revealed that the decedent sustained and suffered severe personal injuries, including a blunt traumatic head injury, with extensive facial and scalp lacerations, facial fractures, skull fractures, internal bleeding of the brain, intercranial swelling and respiratory distress in addition to numerous abrasions and lacerations to other parts of his body, including the abdomen and extremities. Prior to his death, [DECEASED PLAINTIFF] suffered great physical pain and mental anguish.

17. As a result of the negligence and carelessness of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was emergently transported to a critical care facility where he underwent numerous emergency and life-saving procedures for a period of four days before succumbing to his injuries, which included intracranial

hemorrhage; closed traumatic brain injury; acute head injury with loss of consciousness; closed fracture of multiple ribs of right side with delayed healing; bilateral pulmonary contusion; acute respiratory failure following trauma and surgery and pneumocephalus.

18. Some or all of the plaintiff's injuries are of a permanent nature.

19. As a further result of the defendant's negligence and carelessness, the plaintiff's decedent ultimately expired due to these injuries, thereby completely destroying the decedent's ability to carry out all of life's activities in a full, active and rewarding manner, all to the loss and damage of his estate.

20. As a further result of the defendant's negligence and carelessness, the plaintiff's decedent's ability to earn wages has been permanently destroyed.

21. As a further result of the defendant's negligence and carelessness and the decedent's resulting death, the plaintiff, [PLAINTIFF ADMIN/EXEC], as Administratrix of the Estate of [DECEASED PLAINTIFF], incurred considerable funeral, burial, medical and administrative expenses, all to the loss and damage of said estate.

22. The subject action is brought pursuant to Connecticut's Wrongful Death Statute, Connecticut General Statute § 52-555.

COUNT TWO: (Vicarious Liability v. [TRACTOR TRAILER LESSEE CO])

1-22. The plaintiff hereby incorporates paragraphs 1-22 of Count One as her corresponding paragraphs 1-22 of Count Two as if fully set forth herein.

23. At all times mentioned herein, the defendant [DEFENDANT DRIVER] was acting as an agent, servant or employee of the defendant, [DEFENDANT TRACTOR TRAILER LESSEE CO], (hereafter “[TTLC]”).

24. At all times relevant hereto, the defendant [DEFENDANT TRACTOR TRAILER LESSEE CO] was an “employer” as defined in 49 U.S.C. § 31132(3), 49 C.F.R. §§ 383.5 and/or 390.5, and was subject to FMCSR requirements.

25. At all times relevant hereto, the defendant [DEFENDANT DRIVER] was an “employee” of the defendant [DEFENDANT TRACTOR TRAILER LESSEE CO] as defined in 49 U.S.C. § 31132(2), 49 C.F.R. §§ 383.5 and/or 390.5, and was subject to FMCSR requirements.

26. The defendant [DEFENDANT TRACTOR TRAILER LESSEE CO] is vicariously liable for the negligent actions and/or omissions of the defendant [DEFENDANT DRIVER].

COUNT THREE: (Vicarious Liability v. [DEFENDANT TRACTOR TRAILER LESSEE CO OWNER], in his personal capacity)

1-26. The plaintiff hereby incorporates paragraphs 1-26 of Count Two as her corresponding paragraphs 1-26 of Count Three as if fully set forth herein.

27. The defendant [DEFENDANT TRACTOR TRAILER LESSEE CO OWNER] is the sole principal, owner and proprietor of the defendant [DEFENDANT TRACTOR TRAILER LESSEE CO] and all its related pseudonyms, corporations and/or businesses. At all times relevant hereto, [DEFENDANT TRACTOR TRAILER LESSEE

CO OWNER] exercised full control over [DEFENDANT TRACTOR TRAILER LESSEE CO], manipulated its operation and failed to adhere to and respect corporate duties and responsibilities, such that the existence of a separate entity is solely legal fiction that should not afford [DEFENDANT TRACTOR TRAILER LESSEE CO OWNER]– the real actor – the shield of immunity of the corporate structure.

28. At all times mentioned herein, the defendant [DEFENDANT DRIVER] was acting as an agent, servant or employee of the defendant [DEFENDANT TRACTOR TRAILER LESSEE CO OWNER].

29. At all times relevant hereto, the defendant [DEFENDANT TRACTOR TRAILER LESSEE CO OWNER] was an “employer” as defined in 49 U.S.C. § 31132(3), 49 C.F.R. §§ 383.5 and/or 390.5, and was subject to FMCSR requirements.

30. At all times relevant hereto, the defendant [DEFENDANT DRIVER] was an “employee” of the defendant [DEFENDANT TRACTOR TRAILER LESSEE CO OWNER] as defined in 49 U.S.C. § 31132(2), 49 C.F.R. §§ 383.5 and/or 390.5, and was subject to FMCSR requirements.

31. The defendant [DEFENDANT TRACTOR TRAILER LESSEE CO OWNER] in his personal and individual capacity, is vicariously liable for the negligent actions and/or omissions of the defendant [DEFENDANT DRIVER].

COUNT FOUR: (Vicarious Liability v. [DEFENDANT TRUCK OWNER])

1-22. The plaintiff hereby incorporates paragraphs 1-22 of Count One as her corresponding paragraphs 1-22 of Count Four as if fully set forth herein.

23. At all times mentioned herein, [DEFENDANT TRUCK OWNER] was the owner of the tractor, which was driven by the defendant [DEFENDANT DRIVER]. Upon information and belief, [DEFENDANT TRUCK OWNER] was principally employed as a driver for the defendant company, [DEFENDANT TRACTOR TRAILER LESSEE CO].

24. At all times mentioned herein, the defendant [DEFENDANT DRIVER] was acting as an agent, servant or employee of the defendant [DEFENDANT TRUCK OWNER].

25. At all times relevant hereto, the defendant [DEFENDANT TRUCK OWNER] was an “employer” as defined in 49 U.S.C. § 31132(3), 49 C.F.R. §§ 383.5 and/or 390.5, and was subject to FMCSR requirements.

26. At all times relevant hereto, the defendant [DEFENDANT DRIVER] was an “employee” of the defendant [DEFENDANT TRUCK OWNER] as defined in 49 U.S.C. § 31132(2), 49 C.F.R. §§ 383.5 and/or 390.5, and was subject to FMCSR requirements.

27. The defendant [DEFENDANT TRUCK OWNER] is vicariously liable for the negligent actions and/or omissions of the defendant [DEFENDANT DRIVER].

COUNT FIVE: (Vicarious Liability v. [DEFENDANT TRAILER OWNER])

1-22. The plaintiff hereby incorporates paragraphs 1-22 of Count One as her corresponding paragraphs 1-22 of Count Four as if fully set forth herein.

23. At all times mentioned herein, [DEFENDANT TRAILER OWNER] was the owner of the trailer which was driven by the defendant [DEFENDANT DRIVER].

24. At all times mentioned herein, the defendant [DEFENDANT DRIVER] was acting as an agent, servant or employee of the defendant [DEFENDANT TRAILER OWNER].

25. At all times relevant hereto, the defendant [DEFENDANT TRAILER OWNER] was an “employer” as defined in 49 U.S.C. § 31132(3), 49 C.F.R. §§ 383.5 and/or 390.5, and was subject to FMCSR requirements.

26. At all times relevant hereto, the defendant [DEFENDANT DRIVER] was an “employee” of the defendant [DEFENDANT TRAILER OWNER] as defined in 49 U.S.C. § 31132(2), 49 C.F.R. §§ 383.5 and/or 390.5, and was subject to FMCSR requirements.

27. The defendant [DEFENDANT TRAILER OWNER] is vicariously liable for the negligent actions and/or omissions of the defendant [DEFENDANT DRIVER].

COUNT SIX: (Negligent Hiring, Supervision, Training and Retention v. [DEFENDANT TRACTOR AND TRAILER LESSEE CO])

1-14. The plaintiff hereby incorporates paragraphs 1-14 of Count One as her corresponding paragraphs 1-14 of Count Six as if fully set forth herein.

15. At all times relevant hereto, The Truck was allegedly leased to defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO], and [DEFENDANT TRACTOR AND TRAILER LESSEE CO] in turn made The Truck available to the defendant [DEFENDANT DRIVER] for its operation and use.

16. At all times relevant hereto, the defendant [DEFENDANT DRIVER] was assigned a load of cargo to be delivered by [DEFENDANT TRACTOR AND TRAILER

LESSEE CO], and he worked under the direction and control of [DEFENDANT TRACTOR AND TRAILER LESSEE CO].

17. At all times relevant hereto, the defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO] was an “employer” as defined in 49 U.S.C. § 31132(3), 49 C.F.R. §§ 383.5 and/or 390.5, and was subject to FMCSR requirements.

18. At all times relevant hereto, the defendant [DEFENDANT DRIVER] was an “employee” of the defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO] as defined in 49 U.S.C. § 31132(2), 49 C.F.R. §§ 383.5 and/or 390.5, and was subject to FMCSR requirements.

19. The fatal injuries sustained by the plaintiff’s decedent were caused by the negligent and careless acts and/or omissions of the defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO] acting through its agents, servants or employees, in one or more of the following ways:

- a. IN THAT it hired defendant [DEFENDANT DRIVER] without conducting an adequate investigation of his background, motor vehicle history, employment history, and suitability for the position of operator of a tractor trailer truck;
- b. IN THAT it failed to conduct adequate and periodic investigations into the defendant [DEFENDANT DRIVER]’s background, motor vehicle history and suitability for the position of operator of a commercial vehicle after he had been hired and during the course of his employment with [DEFENDANT TRACTOR AND TRAILER LESSEE CO];
- c. IN THAT it allowed defendant [DEFENDANT DRIVER] to operate The Truck on the subject date when it knew, or should have known, that [DEFENDANT DRIVER]’s background and motor vehicle history made him an unsuitable candidate for such employment;

- d. IN THAT it allowed The Truck to be driven by the defendant [DEFENDANT DRIVER] when it knew, or should have known, that [DEFENDANT DRIVER] had a history of unsafe driving and multiple motor vehicle violations;
- e. IN THAT it failed to properly plan the route that The Truck was to be driven on the day in question, and then failed to properly train the defendant [DEFENDANT DRIVER] in the route that was to be taken such that [DEFENDANT DRIVER] did not have the proper information in order to safely operate The Truck on the route on the day in question;
- f. IN THAT it failed to properly train and supervise its operators, and allowed the defendant [DEFENDANT DRIVER] to drive a tractor trailer truck when said employee was not qualified to do so, in violation of 49 C.F.R. §§ 383, 390 and/or 392;
- g. IN THAT it failed to perform a proper investigation of the defendant [DEFENDANT DRIVER] prior to the time of hiring, in violation of 49 C.F.R. § 391.23;
- h. IN THAT it allowed the defendant [DEFENDANT DRIVER] to operate a commercial motor vehicle when he did not have sufficient understanding of the English language as to allow for conversation and/or reasonable comprehension of traffic signs, in violation of 49 C.F.R. § 391.11(b)(2);
- i. IN THAT it failed to require that its driver, defendant [DEFENDANT DRIVER], observe his duties under the federal regulations, in violation of the duty imposed upon defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO] as a motor carrier company under 49 C.F.R. § 390.11;
- j. IN THAT it aided defendant [DEFENDANT DRIVER] in violating the federal regulations for motor carrier safety, in violation of 49 C.F.R. § 390.13; and
- k. IN THAT it failed to comply with the Federal Motor Carrier Safety Regulations in violation of 49 C.F.R. § 392.1, and failed to ensure that its drivers and employees were in compliance with the Federal Motor Carrier Safety Regulations.

20. As a result of the negligence and carelessness of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was caused severe injuries as a result of the collision. Subsequent examination revealed that the decedent sustained and suffered severe personal injuries, including a blunt traumatic head injury, with extensive facial and scalp lacerations, facial fractures, skull fractures, internal bleeding of the brain, intercranial swelling and respiratory distress in addition to numerous abrasions and lacerations to other parts of his body, including the abdomen and extremities. Prior to his death, [DECEASED PLAINTIFF] suffered great physical pain and mental anguish.

21. As a result of the negligence and carelessness of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was emergently transported to a critical care facility where he underwent numerous emergency and life-saving procedures for a period of four days before succumbing to his injuries, which included intracranial hemorrhage; closed traumatic brain injury; acute head injury with loss of consciousness; closed fracture of multiple ribs of right side with delayed healing; bilateral pulmonary contusion; acute respiratory failure following trauma and surgery and pneumocephalus.

22. As a further result of the defendant's negligence and carelessness, the plaintiff's decedent ultimately expired due to these injuries, thereby destroying all of the decedent's ability to carry out all of life's activities in a full, active and rewarding manner, all to the loss and damage of his estate.

23. As a further result of the defendant's negligence and carelessness, the plaintiff's decedent's ability to earn wages has been permanently destroyed.

24. As a further result of the defendant's negligence and carelessness and the decedent's resulting death, the plaintiff, [PLAINTIFF ESTATE ADMIN/EXEC], as Administratrix of the Estate of [DECEASED PLAINTIFF], incurred considerable funeral, burial, medical and administrative expenses, all to the loss and damage of said estate.

25. The subject action is brought pursuant to Connecticut's Wrongful Death Statute, Connecticut General Statute § 52-555.

COUNT SEVEN: (Negligent Hiring, Supervision, Training and Retention v. [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER] , in his personal capacity)

1-14. The plaintiff hereby incorporates paragraphs 1-14 of Count One as her corresponding paragraphs 1-14 of Count Seven as if fully set forth herein.

15. At all times relevant hereto, The Truck was allegedly leased to defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO], and [DEFENDANT TRACTOR AND TRAILER LESSEE CO] in turn made The Truck available to the defendant [DEFENDANT DRIVER] for its operation and use.

16. At all times relevant hereto, the defendant [DEFENDANT DRIVER] was assigned a load of cargo to be delivered by [DEFENDANT TRACTOR AND TRAILER LESSEE CO], and he worked under the direction and control of [DEFENDANT TRACTOR AND TRAILER LESSEE CO].

17. The defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER] is the sole principal, owner and proprietor of the defendant LLC [DEFENDANT TRACTOR AND TRAILER LESSEE CO] and all its related pseudonyms,

corporations and/or businesses. At all times relevant hereto, [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER] exercised full control over [DEFENDANT TRACTOR AND TRAILER LESSEE CO], manipulated its operation and failed to adhere to and respect corporate duties and responsibilities, such that the existence of a separate entity is solely legal fiction that should not afford [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER] – the real actor – the shield of immunity of the corporate structure.

18. Additionally, [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER] is personally and individually liable in tort for his negligent conduct irrespective of the existence of a proper LLC.

19. At all times relevant hereto, the defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER] was an “employer” as defined in 49 U.S.C. § 31132(3), 49 C.F.R. §§ 383.5 and/or 390.5, and was subject to FMCSR requirements.

20. At all times relevant hereto, the defendant [DEFENDANT DRIVER] was an “employee” of the defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER] as defined in 49 U.S.C. § 31132(2), 49 C.F.R. §§ 383.5 and/or 390.5, and was subject to FMCSR requirements.

21. The fatal injuries sustained by the plaintiff’s decedent were caused by the negligent and careless acts and/or omissions of the defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER] in one or more of the following ways:

- a. IN THAT he hired defendant [DEFENDANT DRIVER] without conducting an adequate investigation of his background, motor vehicle history, employment history, and suitability for the position of operator of a tractor trailer truck;
- b. IN THAT the defendant failed to conduct adequate and periodic investigations into the defendant [DEFENDANT DRIVER]'s background, motor vehicle history and suitability for the position of operator of a commercial vehicle after he had been hired and during the course of his employment;
- c. IN THAT the defendant allowed defendant [DEFENDANT DRIVER] to operate The Truck on the subject date when he knew, or should have known, that [DEFENDANT DRIVER]'s background and motor vehicle history made him an unsuitable candidate for such employment;
- d. IN THAT the defendant allowed The Truck to be driven by [DEFENDANT DRIVER] when he knew, or should have known, that [DEFENDANT DRIVER] had a history of unsafe driving and multiple motor vehicle violations;
- e. IN THAT it failed to properly plan the route that The Truck was to be driven on the day in question, and then failed to properly train the defendant [DEFENDANT DRIVER] in the route that was to be taken such that [DEFENDANT DRIVER] did not have the proper information in order to safely operate The Truck on the route on the day in question;
- f. IN THAT the defendant failed to properly train and supervise its operators, and allowed the defendant [DEFENDANT DRIVER] to drive a tractor trailer truck when said employee was not qualified to do so, in violation of 49 C.F.R. §§ 383, 390 and/or 392;
- g. IN THAT the defendant failed to perform a proper investigation of [DEFENDANT DRIVER] prior to the time of hiring, in violation of 49 C.F.R. § 391.23;
- h. IN THAT the defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER] allowed the defendant [DEFENDANT DRIVER] to operate a commercial motor vehicle when he did not have sufficient understanding of the English language as to allow for conversation and/or

reasonable comprehension of traffic signs, in violation of 49 C.F.R. § 391.11(b)(2);

- i. IN THAT the defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER] failed to require that his driver, defendant [DEFENDANT DRIVER], observe his duties under the federal regulations, in violation of the duty imposed upon defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER] as a motor carrier under 49 C.F.R. § 390.11;
- j. IN THAT the defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER] aided defendant [DEFENDANT DRIVER] in violating the federal regulations for motor carrier safety, in violation of 49 C.F.R. § 390.13; and
- k. IN THAT the defendant failed to comply with the Federal Motor Carrier Safety Regulations in violation of 49 C.F.R. § 392.1, and failed to ensure that its drivers and employees were in compliance with the Federal Motor Carrier Safety Regulations.

22. As a result of the negligence and carelessness of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was caused severe injuries as a result of the collision. Subsequent examination revealed that the decedent sustained and suffered severe personal injuries, including a blunt traumatic head injury, with extensive facial and scalp lacerations, facial fractures, skull fractures, internal bleeding of the brain, intercranial swelling and respiratory distress in addition to numerous abrasions and lacerations to other parts of his body, including the abdomen and extremities. Prior to his death, [DECEASED PLAINTIFF] suffered great physical pain and mental anguish.

23. As a result of the negligence and carelessness of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was emergently transported to a critical care facility where he underwent numerous emergency and life-saving procedures for a

period of four days before succumbing to his injuries, which included intracranial hemorrhage; closed traumatic brain injury; acute head injury with loss of consciousness; closed fracture of multiple ribs of right side with delayed healing; bilateral pulmonary contusion; acute respiratory failure following trauma and surgery and pneumocephalus.

24. As a further result of the defendant's negligence and carelessness, the plaintiff's decedent ultimately expired due to these injuries, thereby destroying all of the decedent's ability to carry out all of life's activities in a full, active and rewarding manner, all to the loss and damage of his estate.

25. As a further result of the defendant's negligence and carelessness, the plaintiff's decedent's ability to earn wages has been permanently destroyed.

26. As a further result of the defendant's negligence and carelessness and the decedent's resulting death, the plaintiff, [PLAINTIFF ESTATE ADMIN/EXEC], as Administratrix of the Estate of [DECEASED PLAINTIFF], incurred considerable funeral, burial, medical and administrative expenses, all to the loss and damage of said estate.

27. The subject action is brought pursuant to Connecticut's Wrongful Death Statute, Connecticut General Statute § 52-555.

COUNT EIGHT: (Negligent Hiring, Supervision, Training and Retention v. Hassan [DEFENDANT TRUCK OWNER])

1-14. The plaintiff hereby incorporates paragraphs 1-14 of Count One as her corresponding paragraphs 1-14 of Count Eight as if fully set forth herein.

15. At all times relevant hereto, the tractor of The Truck was owned by the defendant [DEFENDANT TRUCK OWNER] . [DEFENDANT TRUCK OWNER] was also himself a driver for the defendant lessee company, [DEFENDANT TRACTOR AND TRAILER LESSEE CO].

16. At all times relevant hereto, the defendant [DEFENDANT TRUCK OWNER] was an “employer” as defined in 49 U.S.C. § 31132(3), 49 C.F.R. §§ 383.5 and/or 390.5, and was subject to FMCSR requirements.

17. At all times relevant hereto, the defendant [DEFENDANT DRIVER] was an “employee” of the defendant [DEFENDANT TRUCK OWNER] as defined in 49 U.S.C. § 31132(2), 49 C.F.R. §§ 383.5 and/or 390.5, and was subject to FMCSR requirements.

18. The fatal injuries sustained by the plaintiff’s decedent were caused by the negligent and careless acts and/or omissions of the defendant [DEFENDANT TRUCK OWNER] in one or more of the following ways:

- a. IN THAT he hired defendant [DEFENDANT DRIVER] without conducting an adequate investigation of his background, motor vehicle history, and suitability for the position of operator of a tractor trailer truck;
- b. IN THAT the defendant failed to conduct adequate and periodic investigations into the defendant [DEFENDANT DRIVER]’s background, motor vehicle history and suitability for the position of operator of a commercial vehicle after he had been hired and during the course of his employment;
- c. IN THAT the defendant allowed defendant [DEFENDANT DRIVER] to operate The Truck on the subject date when he knew, or should have known, that [DEFENDANT DRIVER]’s background and motor vehicle history made him an unsuitable candidate for such employment;

- d. IN THAT the defendant allowed The Truck to be driven by [DEFENDANT DRIVER] when he knew, or should have known, that [DEFENDANT DRIVER] had a history of unsafe driving and multiple motor vehicle violations;
- e. IN THAT it failed to properly plan the route that The Truck was to be driven on the day in question, and then failed to properly train the defendant [DEFENDANT DRIVER] in the route that was to be taken such that [DEFENDANT DRIVER] did not have the proper information in order to safely operate The Truck on the route on the day in question;
- f. IN THAT the defendant failed to properly train its operators, and allowed the defendant [DEFENDANT DRIVER] to drive a tractor trailer truck when said employee was not qualified to do so, in violation of 49 C.F.R. §§ 383, 390 and/or 392;
- g. IN THAT the defendant failed to perform a proper investigation of [DEFENDANT DRIVER] prior to the time of hiring, in violation of 49 C.F.R. § 391.23;
- h. IN THAT the defendant [DEFENDANT TRUCK OWNER] allowed the defendant [DEFENDANT DRIVER] to operate a commercial motor vehicle when he did not have sufficient understanding of the English language as to allow for conversation and/or reasonable comprehension of traffic signs, in violation of 49 C.F.R. § 391.11(b)(2);
- i. IN THAT the defendant [DEFENDANT TRUCK OWNER] failed to require that his driver, defendant [DEFENDANT DRIVER], observe his duties under the federal regulations, in violation of the duty imposed upon defendant [DEFENDANT TRUCK OWNER] as a motor carrier under 49 C.F.R. § 390.11;
- j. IN THAT the defendant [DEFENDANT TRUCK OWNER] aided defendant [DEFENDANT DRIVER] in violating the federal regulations for motor carrier safety, in violation of 49 C.F.R. § 390.13; and
- k. IN THAT the defendant failed to comply with the Federal Motor Carrier Safety Regulations in violation of 49 C.F.R. § 392.1.

19. As a result of the negligence and carelessness of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was caused severe injuries as a result of the collision. Subsequent examination revealed that the decedent sustained and suffered severe personal injuries, including a blunt traumatic head injury, with extensive facial and scalp lacerations, facial fractures, skull fractures, internal bleeding of the brain, intercranial swelling and respiratory distress in addition to numerous abrasions and lacerations to other parts of his body, including the abdomen and extremities. Prior to his death, [DECEASED PLAINTIFF] suffered great physical pain and mental anguish.

20. As a result of the negligence and carelessness of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was emergently transported to a critical care facility where he underwent numerous emergency and life-saving procedures for a period of four days before succumbing to his injuries, which included intracranial hemorrhage; closed traumatic brain injury; acute head injury with loss of consciousness; closed fracture of multiple ribs of right side with delayed healing; bilateral pulmonary contusion; acute respiratory failure following trauma and surgery and pneumocephalus.

21. As a further result of the defendant's negligence and carelessness, the plaintiff's decedent ultimately expired due to these injuries, thereby destroying all of the decedent's ability to carry out all of life's activities in a full, active and rewarding manner, all to the loss and damage of his estate.

22. As a further result of the defendant's negligence and carelessness, the plaintiff's decedent's ability to earn wages has been permanently destroyed.

23. As a further result of the defendant's negligence and carelessness and the decedent's resulting death, the plaintiff, [PLAINTIFF ESTATE ADMIN/EXEC], as Administratrix of the Estate of [DECEASED PLAINTIFF], incurred considerable funeral, burial, medical and administrative expenses, all to the loss and damage of said estate.

24. The subject action is brought pursuant to Connecticut's Wrongful Death Statute, Connecticut General Statute § 52-555.

COUNT NINE: (Negligent Hiring, Supervision and Retention v. [DEFENDANT TRAILER OWNER])

1-14. The plaintiff hereby incorporates paragraphs 1-14 of Count One as her corresponding paragraphs 1-14 of Count Nine as if fully set forth herein.

15. At all times relevant hereto, the trailer of The Truck was owned by defendant [DEFENDANT TRAILER OWNER].

16. At all times relevant hereto, the defendant [DEFENDANT TRAILER OWNER] was an "employer" as defined in 49 U.S.C. § 31132(3), 49 C.F.R. §§ 383.5 and/or 390.5, and was subject to FMCSR requirements.

17. At all times relevant hereto, the defendant [DEFENDANT DRIVER] was an "employee" of the defendant [DEFENDANT TRAILER OWNER] as defined in 49 U.S.C. § 31132(2), 49 C.F.R. §§ 383.5 and/or 390.5, and was subject to FMCSR requirements.

18. The fatal injuries sustained by the plaintiff's decedent were caused by the negligent and careless acts and/or omissions of the defendant [DEFENDANT TRAILER

OWNER] acting through its agents, servants or employees, in one or more of the following ways:

- a. IN THAT it hired defendant [DEFENDANT DRIVER] without conducting an adequate investigation of his background, motor vehicle history, and suitability for the position of operator of a tractor trailer truck;
- b. IN THAT it failed to conduct adequate and periodic investigations into the defendant [DEFENDANT DRIVER]'s background, motor vehicle history and suitability for the position of operator of a commercial vehicle after he had been hired and during the course of his employment with [DEFENDANT TRACTOR AND TRAILER LESSEE CO];
- c. IN THAT it allowed defendant [DEFENDANT DRIVER] to operate The Truck on the subject date when it knew, or should have known, that [DEFENDANT DRIVER]'s background and motor vehicle history made him an unsuitable candidate for such employment;
- d. IN THAT it allowed The Truck to be driven by the defendant [DEFENDANT DRIVER] when it knew, or should have known, that [DEFENDANT DRIVER] had a history of unsafe driving and multiple motor vehicle violations;
- e. IN THAT it failed to properly plan the route that The Truck was to be driven on the day in question, and then failed to properly train the defendant [DEFENDANT DRIVER] in the route that was to be taken such that [DEFENDANT DRIVER] did not have the proper information in order to safely operate The Truck on the route on the day in question;
- f. IN THAT it failed to properly train its operators, and allowed the defendant [DEFENDANT DRIVER] to drive a tractor trailer truck when said employee was not qualified to do so, in violation of 49 C.F.R. §§ 383, 390 and/or 392;
- g. IN THAT it failed to perform a proper investigation of the defendant [DEFENDANT DRIVER] prior to the time of hiring, in violation of 49 C.F.R. § 391.23;
- h. IN THAT it allowed the defendant [DEFENDANT DRIVER] to operate a commercial motor vehicle when he did not have sufficient understanding

of the English language as to allow for conversation and/or reasonable comprehension of traffic signs, in violation of 49 C.F.R. § 391.11(b)(2);

- i. IN THAT it failed to require that its driver, defendant [DEFENDANT DRIVER], observe his duties under the federal regulations, in violation of the duty imposed upon defendant [DEFENDANT TRAILER OWNER] as a motor carrier company under 49 C.F.R. § 390.11;
- j. IN THAT it aided defendant [DEFENDANT DRIVER] in violating the federal regulations for motor carrier safety, in violation of 49 C.F.R. § 390.13; and
- k. IN THAT it failed to comply with the Federal Motor Carrier Safety Regulations in violation of 49 C.F.R. § 392.1.

19. As a result of the negligence and carelessness of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was caused severe injuries as a result of the collision. Subsequent examination revealed that the decedent sustained and suffered severe personal injuries, including a blunt traumatic head injury, with extensive facial and scalp lacerations, facial fractures, skull fractures, internal bleeding of the brain, intercranial swelling and respiratory distress in addition to numerous abrasions and lacerations to other parts of his body, including the abdomen and extremities. Prior to his death, [DECEASED PLAINTIFF] suffered great physical pain and mental anguish.

20. As a result of the negligence and carelessness of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was emergently transported to a critical care facility where he underwent numerous emergency and life-saving procedures for a period of four days before succumbing to his injuries, which included intracranial hemorrhage; closed traumatic brain injury; acute head injury with loss of consciousness;

closed fracture of multiple ribs of right side with delayed healing; bilateral pulmonary contusion; acute respiratory failure following trauma and surgery and pneumocephalus.

21. As a further result of the defendant's negligence and carelessness, the plaintiff's decedent ultimately expired due to these injuries, thereby destroying all of the decedent's ability to carry out all of life's activities in a full, active and rewarding manner, all to the loss and damage of his estate.

22. As a further result of the defendant's negligence and carelessness, the plaintiff's decedent's ability to earn wages has been permanently destroyed.

23. As a further result of the defendant's negligence and carelessness and the decedent's resulting death, the plaintiff, [PLAINTIFF ESTATE ADMIN/EXEC], as Administratrix of the Estate of [DECEASED PLAINTIFF], incurred considerable funeral, burial, medical and administrative expenses, all to the loss and damage of said estate.

24. The subject action is brought pursuant to Connecticut's Wrongful Death Statute, Connecticut General Statute § 52-555.

COUNT TEN: (Negligent Entrustment v. [DEFENDANT TRACTOR AND TRAILER LESSEE CO])

1-14. The plaintiff hereby incorporates paragraphs 1-14 of Count One as her corresponding paragraphs 1-14 of Count Ten as if fully set forth herein.

15. At all times relevant hereto, The Truck was leased to defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO]. [DEFENDANT TRACTOR

AND TRAILER LESSEE CO] assigned, provided and/or entrusted defendant [DEFENDANT DRIVER] with the operation of The Truck.

16. At all times relevant hereto, the defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO] was an “employer” as defined in 49 U.S.C. § 31132(3), 49 C.F.R. §§ 383.5 and/or 390.5, and was subject to FMCSR requirements.

17. At all times relevant hereto, the defendant [DEFENDANT DRIVER] was an “employee” of the defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO] as defined in 49 U.S.C. § 31132(2), 49 C.F.R. §§ 383.5 and/or 390.5, and was subject to FMCSR requirements.

18. The fatal injuries suffered by the plaintiff’s decedent were caused by the negligent and/or careless acts and/or omissions of the defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO] acting through its agents, servants and/or employees, in one or more of the following ways:

- a. IN THAT the defendant hired and permitted defendant [DEFENDANT DRIVER] to drive The Truck without conducting an adequate investigation of [DEFENDANT DRIVER]’s background, competence and experience in operating tractor trailer units;
- b. IN THAT the defendant permitted defendant [DEFENDANT DRIVER] to drive The Truck when it knew or should have known that he had a history unsafe driving and multiple motor vehicle violations driving similar vehicles;
- c. IN THAT the defendant knew or should have known that [DEFENDANT DRIVER] had a history of motor vehicle violations while driving for [DEFENDANT TRACTOR AND TRAILER LESSEE CO];

- d. IN THAT the defendant knew or should have known that [DEFENDANT DRIVER] was an incompetent operator and yet entrusted The Truck to him all the same;
- e. IN THAT the defendant knew or should have known that the defendant [DEFENDANT DRIVER] was not aware or familiar with the route that The Truck would be traveling on the day in question and thus, could not safely operate The Truck on said route on the date in question;
- f. IN THAT the defendant allowed the defendant [DEFENDANT DRIVER] to drive a tractor trailer truck when said employee was not qualified to do so, in violation of 49 C.F.R. §§ 383, 390 and/or 392;
- g. IN THAT the defendant failed to keep proper records of the defendant [DEFENDANT DRIVER]'s driving history, in violation of 49 C.F.R. § 395.3;
- h. IN THAT the defendant failed to perform a proper investigation of the defendant [DEFENDANT DRIVER] prior to the time of hiring, in violation of 49 C.F.R. § 391.23;
- i. IN THAT the defendant allowed the defendant [DEFENDANT DRIVER] to operate a commercial motor vehicle when he did not have sufficient understanding of the English language as to allow for conversation and/or reasonable comprehension of traffic signs, in violation of 49 C.F.R. § 391.11(b)(2); and
- j. IN THAT the defendant failed to comply with the Federal Motor Carrier Safety Regulations in violation of 49 C.F.R. § 392.1.

19. As a result of the negligence and carelessness of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was caused severe injuries as a result of the collision. Subsequent examination revealed that the decedent sustained and suffered severe personal injuries, including a blunt traumatic head injury, with extensive facial and scalp lacerations, facial fractures, skull fractures, internal bleeding of the brain, intercranial swelling and respiratory distress in addition to numerous abrasions

and lacerations to other parts of his body, including the abdomen and extremities. Prior to his death, [DECEASED PLAINTIFF] suffered great physical pain and mental anguish.

20. As a result of the negligence and carelessness of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was emergently transported to a critical care facility where he underwent numerous emergency and life-saving procedures for a period of four days before succumbing to his injuries, which included intracranial hemorrhage; closed traumatic brain injury; acute head injury with loss of consciousness; closed fracture of multiple ribs of right side with delayed healing; bilateral pulmonary contusion; acute respiratory failure following trauma and surgery and pneumocephalus.

21. As a further result of the defendant's negligence and carelessness, the plaintiff's decedent ultimately expired due to these injuries, thereby destroying all of the decedent's ability to carry out all of life's activities in a full, active and rewarding manner, all to the loss and damage of his estate.

22. As a further result of the defendant's negligence and carelessness, the plaintiff's decedent's ability to earn wages has been permanently destroyed.

23. As a further result of the defendant's negligence and carelessness and the decedent's resulting death, the plaintiff, [PLAINTIFF ESTATE ADMIN/EXEC], as Administratrix of the Estate of [DECEASED PLAINTIFF], incurred considerable funeral, burial, medical and administrative expenses, all to the loss and damage of said estate.

24. The subject action is brought pursuant to Connecticut's Wrongful Death Statute, Connecticut General Statute § 52-555.

COUNT ELEVEN: (Negligent Entrustment v. [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER])

1-14. The plaintiff hereby incorporates paragraphs 1-14 of Count One as her corresponding paragraphs 1-14 of Count Eleven as if fully set forth herein.

15. The defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER] is the sole principal, owner and proprietor of the defendant LLC [DEFENDANT TRACTOR AND TRAILER LESSEE CO] and all its related pseudonyms, corporations and/or businesses. At all times relevant hereto, [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER] exercised full control over [DEFENDANT TRACTOR AND TRAILER LESSEE CO], manipulated its operation and failed to adhere to and respect corporate duties and responsibilities, such that the existence of a separate entity is solely legal fiction that should not afford [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER] – the real actor – the shield of immunity of the corporate structure.

16. Additionally, [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER] is personally and individually liable in tort for his negligent conduct irrespective of the existence of a proper LLC.

17. At all times relevant hereto, the defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER] was an “employer” as defined in 49 U.S.C. § 31132(3), 49 C.F.R. §§ 383.5 and/or 390.5, and was subject to FMCSR requirements.

18. At all times relevant hereto, the defendant [DEFENDANT DRIVER] was an “employee” of the defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER] as defined in 49 U.S.C. § 31132(2), 49 C.F.R. §§ 383.5 and/or 390.5, and was subject to FMCSR requirements.

19. The fatal injuries suffered by the plaintiff’s decedent were caused by the negligent and/or careless acts and/or omissions of the defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER] in one or more of the following ways:

- a. THAT the defendant hired and permitted defendant [DEFENDANT DRIVER] to drive The Truck without conducting an adequate investigation of [DEFENDANT DRIVER]’s background, competence and experience in operating tractor trailer units;
- b. THAT the defendant permitted defendant [DEFENDANT DRIVER] to drive The Truck when it knew or should have known that he had a history unsafe driving and multiple motor vehicle violations driving similar vehicles;
- c. THAT the defendant knew or should have known that [DEFENDANT DRIVER] had a history of motor vehicle violations while driving for [DEFENDANT TRACTOR AND TRAILER LESSEE CO];
- d. IN THAT the defendant knew or should have known that [DEFENDANT DRIVER] was an incompetent operator and yet entrusted The Truck to him all the same;
- e. IN THAT the defendant knew or should have known that the defendant [DEFENDANT DRIVER] was not aware or familiar with the route that The Truck would be traveling on the day in question and thus, could not safely operate The Truck on said route on the date in question;
- f. IN THAT the defendant allowed the defendant [DEFENDANT DRIVER] to drive a tractor trailer truck when said employee was not qualified to do so, in violation of 49 C.F.R. §§ 383, 390 and/or 392;

- g. IN THAT the defendant failed to keep proper records of the defendant [DEFENDANT DRIVER]'s driving history, in violation of 49 C.F.R. § 395.3;
- h. IN THAT the defendant failed to perform a proper investigation of the defendant [DEFENDANT DRIVER] prior to the time of hiring, in violation of 49 C.F.R. § 391.23;
- i. IN THAT the defendant allowed the defendant [DEFENDANT DRIVER] to operate a commercial motor vehicle when he did not have sufficient understanding of the English language as to allow for conversation and/or reasonable comprehension of traffic signs, in violation of 49 C.F.R. § 391.11(b)(2); and
- j. IN THAT the defendant failed to comply with the Federal Motor Carrier Safety Regulations in violation of 49 C.F.R. § 392.1.

20. As a result of the negligence and carelessness of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was caused severe injuries as a result of the collision. Subsequent examination revealed that the decedent sustained and suffered severe personal injuries, including a blunt traumatic head injury, with extensive facial and scalp lacerations, facial fractures, skull fractures, internal bleeding of the brain, intercranial swelling and respiratory distress in addition to numerous abrasions and lacerations to other parts of his body, including the abdomen and extremities. Prior to his death, [DECEASED PLAINTIFF] suffered great physical pain and mental anguish.

21. As a result of the negligence and carelessness of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was emergently transported to a critical care facility where he underwent numerous emergency and life-saving procedures for a period of four days before succumbing to his injuries, which included intracranial hemorrhage; closed traumatic brain injury; acute head injury with loss of consciousness;

closed fracture of multiple ribs of right side with delayed healing; bilateral pulmonary contusion; acute respiratory failure following trauma and surgery and pneumocephalus.

22. As a further result of the defendant's negligence and carelessness, the plaintiff's decedent ultimately expired due to these injuries, thereby destroying all of the decedent's ability to carry out all of life's activities in a full, active and rewarding manner, all to the loss and damage of his estate.

23. As a further result of the defendant's negligence and carelessness, the plaintiff's decedent's ability to earn wages has been permanently destroyed.

24. As a further result of the defendant's negligence and carelessness and the decedent's resulting death, the plaintiff, [PLAINTIFF ESTATE ADMIN/EXEC], as Administratrix of the Estate of [DECEASED PLAINTIFF], incurred considerable funeral, burial, medical and administrative expenses, all to the loss and damage of said estate.

25. The subject action is brought pursuant to Connecticut's Wrongful Death Statute, Connecticut General Statute § 52-555.

COUNT TWELVE: (Negligent Entrustment v. [DEFENDANT TRUCK OWNER])

1-14. The plaintiff hereby incorporates paragraphs 1-14 of Count One as her corresponding paragraphs 1-14 of Count Twelve as if fully set forth herein.

15. At all times relevant hereto, the tractor of The Truck was owned by defendant [DEFENDANT TRUCK OWNER] , who was himself also a driver for the defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO].

16. At all times relevant hereto, the defendant [DEFENDANT TRUCK OWNER] was an “employer” as defined in 49 U.S.C. § 31132(3), 49 C.F.R. §§ 383.5 and/or 390.5, and was subject to FMCSR requirements.

17. At all times relevant hereto, the defendant [DEFENDANT DRIVER] was an “employee” of the defendant [DEFENDANT TRUCK OWNER] as defined in 49 U.S.C. § 31132(2), 49 C.F.R. §§ 383.5 and/or 390.5, and was subject to FMCSR requirements.

18. The fatal injuries suffered by the plaintiff’s decedent were caused by the negligent and/or careless acts and/or omissions of the defendant [DEFENDANT TRUCK OWNER] in one or more of the following ways:

- a. IN THAT the defendant permitted defendant [DEFENDANT DRIVER] to drive The Truck without conducting an adequate investigation of [DEFENDANT DRIVER]’s background, competence and experience in operating tractor trailer units;
- b. IN THAT the defendant leased the tractor to the defendant company, [DEFENDANT TRACTOR AND TRAILER LESSEE CO], without conducting an adequate investigation into the company’s background, competence and/or experience;
- c. IN THAT the defendant permitted defendant [DEFENDANT DRIVER] to drive The Truck when he knew or should have known that he had a history unsafe driving and multiple motor vehicle violations driving similar vehicles;
- d. IN THAT the defendant knew or should have known that [DEFENDANT DRIVER] had a history of motor vehicle violations while driving for defendant [DEFENDANT TRUCK OWNER] ;
- e. IN THAT the defendant knew or should have known that the defendant [DEFENDANT DRIVER] was not aware or familiar with the route that The Truck would be traveling on the day in question and thus, could not safely operate The Truck on said route on the date in question;

- f. IN THAT the defendant knew or should have known that [DEFENDANT DRIVER] was an incompetent operator and yet entrusted The Truck to him all the same;
- g. IN THAT the defendant failed to perform a proper investigation of the defendant [DEFENDANT DRIVER] and/or the defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO] prior to the time of renting or leasing the tractor, in violation of 49 C.F.R. § 391.23;
- h. IN THAT the defendant allowed the defendant [DEFENDANT DRIVER] to drive a tractor trailer truck when said employee was not qualified to do so, in violation of 49 C.F.R. §§ 383, 390 and/or 392;
- i. IN THAT the defendant failed to keep proper records of the defendant [DEFENDANT DRIVER]'s driving history, in violation of 49 C.F.R. § 395.3;
- j. IN THAT the defendant failed to perform a proper investigation of the defendant [DEFENDANT DRIVER] prior to the time of hiring, in violation of 49 C.F.R. § 391.23;
- k. IN THAT the defendant allowed the defendant [DEFENDANT DRIVER] to operate a commercial motor vehicle when he did not have sufficient understanding of the English language as to allow for conversation and/or reasonable comprehension of traffic signs, in violation of 49 C.F.R. § 391.11(b)(2); and
- l. IN THAT the defendant failed to comply with the Federal Motor Carrier Safety Regulations in violation of 49 C.F.R. § 392.1.

19. As a result of the negligence and carelessness of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was caused severe injuries as a result of the collision. Subsequent examination revealed that the decedent sustained and suffered severe personal injuries, including a blunt traumatic head injury, with extensive facial and scalp lacerations, facial fractures, skull fractures, internal bleeding of the brain, intercranial swelling and respiratory distress in addition to numerous abrasions

and lacerations to other parts of his body, including the abdomen and extremities. Prior to his death, [DECEASED PLAINTIFF] suffered great physical pain and mental anguish.

20. As a result of the negligence and carelessness of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was emergently transported to a critical care facility where he underwent numerous emergency and life-saving procedures for a period of four days before succumbing to his injuries, which included intracranial hemorrhage; closed traumatic brain injury; acute head injury with loss of consciousness; closed fracture of multiple ribs of right side with delayed healing; bilateral pulmonary contusion; acute respiratory failure following trauma and surgery and pneumocephalus.

21. As a further result of the defendant's negligence and carelessness, the plaintiff's decedent ultimately expired due to these injuries, thereby destroying all of the decedent's ability to carry out all of life's activities in a full, active and rewarding manner, all to the loss and damage of his estate.

22. As a further result of the defendant's negligence and carelessness, the plaintiff's decedent's ability to earn wages has been permanently destroyed.

23. As a further result of the defendant's negligence and carelessness and the decedent's resulting death, the plaintiff, [PLAINTIFF ESTATE ADMIN/EXEC], as Administratrix of the Estate of [DECEASED PLAINTIFF], incurred considerable funeral, burial, medical and administrative expenses, all to the loss and damage of said estate.

24. The subject action is brought pursuant to Connecticut's Wrongful Death Statute, Connecticut General Statute § 52-555.

COUNT THIRTEEN: (Negligent Entrustment v. [DEFENDANT TRAILER OWNER])

1-14. The plaintiff hereby incorporates paragraphs 1-14 of Count One as her corresponding paragraphs 1-14 of Count Thirteen as if fully set forth herein.

15. At all times relevant hereto, the trailer of The Truck was owned by defendant [DEFENDANT TRAILER OWNER].

16. At all times relevant hereto, the defendant [DEFENDANT TRAILER OWNER] was an “employer” as defined in 49 U.S.C. § 31132(3), 49 C.F.R. §§ 383.5 and/or 390.5, and was subject to FMCSR requirements.

17. At all times relevant hereto, the defendant [DEFENDANT DRIVER] was an “employee” of the defendant [DEFENDANT TRAILER OWNER] as defined in 49 U.S.C. § 31132(2), 49 C.F.R. §§ 383.5 and/or 390.5, and was subject to FMCSR requirements.

18. The fatal injuries suffered by the plaintiff’s decedent were caused by the negligent and/or careless acts and/or omissions of the defendant [DEFENDANT TRAILER OWNER] acting through its agents, servants and/or employees, in one or more of the following ways:

- a. IN THAT the defendant permitted defendant [DEFENDANT DRIVER] to drive The Truck without conducting an adequate investigation of [DEFENDANT DRIVER]’s background, competence and experience in operating tractor trailer units;
- b. IN THAT the defendant leased the trailer to the defendant company, [DEFENDANT TRACTOR AND TRAILER LESSEE CO], without conducting an adequate investigation into the company’s background, competence and/or experience, and/or knew or should have known that [DEFENDANT TRACTOR AND TRAILER LESSEE CO] and its related/pseudonym corporations were entities created solely for the

purpose of avoiding the duties and obligations of the Federal Motor Carrier Safety Regulations, and this posed a danger to the public;

- c. IN THAT the defendant permitted defendant [DEFENDANT DRIVER] to drive The Truck when he knew or should have known that he had a history unsafe driving and multiple motor vehicle violations driving similar vehicles;
- d. IN THAT the defendant knew or should have known that [DEFENDANT DRIVER] had a history of motor vehicle violations while driving for defendant [DEFENDANT TRUCK OWNER] ;
- e. IN THAT the defendant knew or should have known that the defendant [DEFENDANT DRIVER] was not aware or familiar with the route that The Truck would be traveling on the day in question and thus, could not safely operate The Truck on said route on the date in question;
- f. IN THAT the defendant knew or should have known that [DEFENDANT DRIVER] was an incompetent operator and yet entrusted The Truck to him all the same;
- g. IN THAT the defendant failed to perform a proper investigation of the defendant [DEFENDANT DRIVER] and/or the defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO] prior to the time of renting or leasing the trailer, in violation of 49 C.F.R. § 391.23;
- h. IN THAT the defendant allowed the defendant [DEFENDANT DRIVER] to drive a tractor trailer truck when said employee was not qualified to do so, in violation of 49 C.F.R. §§ 383, 390 and/or 392;
- i. IN THAT the defendant failed to keep proper records of the defendant [DEFENDANT DRIVER]'s driving history, in violation of 49 C.F.R. § 395.3;
- j. IN THAT the defendant failed to perform a proper investigation of the defendant [DEFENDANT DRIVER] prior to the time of hiring, in violation of 49 C.F.R. § 391.23;
- k. IN THAT the defendant allowed the defendant [DEFENDANT DRIVER] to operate a commercial motor vehicle when he did not have sufficient understanding of the English language as to allow for conversation and/or reasonable comprehension of traffic signs, in violation of 49 C.F.R. § 391.11(b)(2); and

I. IN THAT the defendant failed to comply with the Federal Motor Carrier Safety Regulations in violation of 49 C.F.R. § 392.1.

19. As a result of the negligence and carelessness of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was caused severe injuries as a result of the collision. Subsequent examination revealed that the decedent sustained and suffered severe personal injuries, including a blunt traumatic head injury, with extensive facial and scalp lacerations, facial fractures, skull fractures, internal bleeding of the brain, intercranial swelling and respiratory distress in addition to numerous abrasions and lacerations to other parts of his body, including the abdomen and extremities. Prior to his death, [DECEASED PLAINTIFF] suffered great physical pain and mental anguish.

20. As a result of the negligence and carelessness of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was emergently transported to a critical care facility where he underwent numerous emergency and life-saving procedures for a period of four days before succumbing to his injuries, which included intracranial hemorrhage; closed traumatic brain injury; acute head injury with loss of consciousness; closed fracture of multiple ribs of right side with delayed healing; bilateral pulmonary contusion; acute respiratory failure following trauma and surgery and pneumocephalus.

21. As a further result of the defendant's negligence and carelessness, the plaintiff's decedent ultimately expired due to these injuries, thereby destroying all of the decedent's ability to carry out all of life's activities in a full, active and rewarding manner, all to the loss and damage of his estate.

22. As a further result of the defendant's negligence and carelessness, the plaintiff's decedent's ability to earn wages has been permanently destroyed.

23. As a further result of the defendant's negligence and carelessness and the decedent's resulting death, the plaintiff, [PLAINTIFF ESTATE ADMIN/EXEC], as Administratrix of the Estate of [DECEASED PLAINTIFF], incurred considerable funeral, burial, medical and administrative expenses, all to the loss and damage of said estate.

24. The subject action is brought pursuant to Connecticut's Wrongful Death Statute, Connecticut General Statute § 52-555.

COUNT FOURTEEN: (Statutory Recklessness Pursuant to Conn. Gen. Stat. § 14-295 v. [DEFENDANT DRIVER])

1-14. The plaintiff hereby incorporates paragraphs 1-14 of Count One as her corresponding paragraphs 1-14 of Count Fourteen as if fully set forth herein.

15. The injuries sustained by the plaintiff were caused by the reckless misconduct of the defendant [DEFENDANT DRIVER] in that he acted in a reckless, willful, wanton and/or malicious disregard for the safety of other persons, including the plaintiff's decedent, in that he operated The Truck recklessly, having regard for the width, traffic and use of said highway so as to endanger the lives of others, including the plaintiff's decedent, in violation of Conn. Gen. Stat. § 14-222.

16. The defendant [DEFENDANT DRIVER] deliberately and/or with reckless disregard operated a commercial motor vehicle in violation of Conn. Gen. Stat. § 14-

222, and such violation was a substantial factor in causing the plaintiff's decedent's fatal injuries.

17. As a result of the recklessness of the defendant, the plaintiff's decedent's vehicle violently collided with The Truck and was destroyed by the undercarriage of The Truck's trailer, causing the plaintiff's decedent to sustain severe, catastrophic and life-ending injuries.

18. As a result of the reckless, willful, wanton and/or malicious conduct of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was caused severe injuries as a result of the collision. Subsequent examination revealed that the plaintiff's decedent sustained and suffered severe personal injuries, including a blunt traumatic head injury, with extensive facial and scalp lacerations, facial fractures, skull fractures, internal bleeding of the brain, intercranial swelling and respiratory distress in addition to numerous abrasions and lacerations to other parts of his body, including the abdomen and extremities. Prior to his death, [DECEASED PLAINTIFF] suffered great physical pain and mental anguish.

19. As a result of the reckless, willful, wanton and/or malicious conduct of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was emergently transported to a critical care facility where he underwent numerous emergency and life-saving procedures for a period of four days before succumbing to his injuries, which included intracranial hemorrhage; closed traumatic brain injury; acute head injury with loss of consciousness; closed fracture of multiple ribs of right side with delayed healing;

bilateral pulmonary contusion; acute respiratory failure following trauma and surgery and pneumocephalus.

20. Some or all of the plaintiff's injuries are of a permanent nature.

21. As a further result of the defendant's reckless, willful, wanton and/or malicious disregard for the safety of other persons, the plaintiff's decedent ultimately expired due to the injuries he sustained, thereby destroying all of the decedent's ability to carry out all of life's activities in a full, active and rewarding manner, all to the loss and damage of his estate.

22. As a further result of the defendant's reckless, willful, wanton and/or malicious conduct, the plaintiff's decedent's ability to earn wages has been permanently destroyed.

23. As a further result of the defendant's reckless, willful, wanton and/or malicious and the decedent's resulting death, the plaintiff, [PLAINTIFF ESTATE ADMIN/EXEC], as Administratrix of the Estate of [DECEASED PLAINTIFF], incurred considerable funeral, burial, medical and administrative expenses, all to the loss and damage of said estate.

24. The subject action is brought pursuant to Connecticut's Wrongful Death Statute, Connecticut General Statute § 52-555.

COUNT FIFTEEN: (Common Law Recklessness v. [DEFENDANT DRIVER])

1-14. The plaintiff hereby incorporates paragraphs 1-14 of Count One as her corresponding paragraphs 1-14 of Count Fifteen as if fully set forth herein.

15. The injuries sustained by the plaintiff were caused by the reckless misconduct of the defendant [DEFENDANT DRIVER] in that he acted in a reckless, willful, wanton and/or malicious disregard for the safety of other persons, including the plaintiff's decedent, in one or more of the following ways:

- a. IN THAT the defendant operated The Truck in blatantly unsafe manner by driving through an intersection and off the road unintentionally, bringing the commercial vehicle to a stop blocking the roadway at a perpendicular angle to the flow of traffic, and proceeding to execute a dangerous backing maneuver in the street;
- b. IN THAT the defendant created a deadly hazard in the middle of the roadway, and then worsened that hazard by proceeding to back further into the street;
- c. IN THAT the defendant failed to take any precaution in the operation of his vehicle given the weather conditions and fog in the area of the subject collision, with the result that the hazard he created with The Truck in the roadway was not visible to commuters in time for other drivers to take evasive action;
- d. IN THAT the defendant took no action to keep a reasonable lookout for approaching motor vehicles or warn said vehicles of his hazardous presence;
- e. IN THAT the defendant failed to take reasonable steps to ensure oncoming motor vehicles could visualize the hazard he had created in the roadway with time to stop or avoid The Truck, although by a proper and reasonable exercise of his faculties, he could have and should have done so;
- f. IN THAT the defendant failed to take reasonable precaution and exercise reasonable vigilance to ensure there were no oncoming vehicles before executing his turn maneuver;
- g. IN THAT the defendant operated The Truck recklessly, having regard to the width, traffic and use of said roadway, so as to endanger the lives of

others, including the plaintiff's decedent, in violation of Conn. Gen. Stat. § 14-222;

- h. IN THAT the defendant unsafely backed The Truck into oncoming traffic at a perpendicular angle, in violation of Conn. Gen. Stat. § 14-243(b);
- i. IN THAT the defendant failed to obey traffic signals on the road by driving straight through the turn-only intersection and by backing the Truck into the roadway, in violation of Conn. Gen. Stat. § 14-299;
- j. IN THAT the defendant committed misconduct with a motor vehicle which caused the death of plaintiff's decedent, in violation of Conn. Gen. Stat. § 53a-57;
- k. IN THAT the defendant reported for duty and operated The Truck while he was not qualified to do so, in violation of 49 C.F.R. § 383.51, *et seq.*;
- l. IN THAT the defendant operated a commercial motor vehicle when he did not have sufficient understanding of the English language as to allow for conversation and/or reasonable comprehension of traffic signs, in violation of 49 C.F.R. § 391.11(b)(2);
- m. IN THAT the defendant failed to comply with State and Local rules, in violation of 49 C.F.R. § 392.2;
- n. IN THAT the defendant failed to take the extreme caution required by federal regulation in operating The Truck in hazardous weather conditions, in violation of 49 C.F.R. § 392.14;
- o. IN THAT the defendant failed to use warning devices to signal his stopped vehicle impeding the roadway, in violation of 49 C.F.R. §§ 393.95(f) and/or 392.22;
- p. IN THAT the defendant did not have sufficient knowledge of safe backing and hazard perception while operating a commercial motor vehicle, in violation of 49 C.F.R. § 383.111; and
- q. IN THAT the defendant failed to comply with the Federal Motor Carrier Safety Regulations, in violation of 49 C.F.R. § 392.1.

16. The defendant [DEFENDANT DRIVER] deliberately and/or with reckless disregard operated a commercial motor vehicle in violation of the aforementioned statutes, regulations and principles of safety on the roadway, and such violation was a substantial factor in causing the plaintiff's decedent's fatal injuries.

17. As a result of the recklessness of the defendant, the plaintiff's decedent's vehicle violently collided with The Truck and was destroyed by the undercarriage of The Truck's trailer, causing the plaintiff's decedent to sustain severe, catastrophic and life-ending injuries.

18. As a result of the reckless, willful, wanton and/or malicious conduct of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was caused severe injuries as a result of the collision. Subsequent examination revealed that the plaintiff's decedent sustained and suffered severe personal injuries, including a blunt traumatic head injury, with extensive facial and scalp lacerations, facial fractures, skull fractures, internal bleeding of the brain, intercranial swelling and respiratory distress in addition to numerous abrasions and lacerations to other parts of his body, including the abdomen and extremities. Prior to his death, [DECEASED PLAINTIFF] suffered great physical pain and mental anguish.

19. As a result of the reckless, willful, wanton and/or malicious conduct of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was emergently transported to a critical care facility where he underwent numerous emergency and life-saving procedures for a period of four days before succumbing to his injuries, which

included intracranial hemorrhage; closed traumatic brain injury; acute head injury with loss of consciousness; closed fracture of multiple ribs of right side with delayed healing; bilateral pulmonary contusion; acute respiratory failure following trauma and surgery and pneumocephalus.

20. Some or all of the plaintiff's injuries are of a permanent nature.

21. As a further result of the defendant's reckless, willful, wanton and/or malicious disregard for the safety of other persons, the plaintiff's decedent ultimately expired due to the injuries he sustained, thereby destroying all of the decedent's ability to carry out all of life's activities in a full, active and rewarding manner, all to the loss and damage of his estate.

22. As a further result of the defendant's reckless, willful, wanton and/or malicious conduct, the plaintiff's decedent's ability to earn wages has been permanently destroyed.

23. As a further result of the defendant's reckless, willful, wanton and/or malicious and the decedent's resulting death, the plaintiff, [PLAINTIFF ESTATE ADMIN/EXEC], as Administratrix of the Estate of [DECEASED PLAINTIFF], incurred considerable funeral, burial, medical and administrative expenses, all to the loss and damage of said estate.

24. The subject action is brought pursuant to Connecticut's Wrongful Death Statute, Connecticut General Statute § 52-555.

COUNT SIXTEEN: (Recklessness v. [DEFENDANT TRACTOR AND TRAILER LESSEE CO])

1-14. The plaintiff hereby incorporates paragraphs 1-14 of Count One as her corresponding paragraphs 1-14 of Count Sixteen as if fully set forth herein.

15. The fatal injuries and losses sustained by the plaintiff's decedent, [DECEASED PLAINTIFF], were caused by the recklessness of the defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO], acting through its agents, servants or employees, in one or more of the following ways:

- a. IN THAT it hired defendant [DEFENDANT DRIVER] without conducting an adequate investigation of his background, motor vehicle history, and suitability for the position of operator of a tractor trailer truck;
- b. IN THAT it failed to conduct adequate and periodic investigations into the defendant [DEFENDANT DRIVER]'s background, motor vehicle history and suitability for the position of operator of a commercial vehicle after he had been hired and during the course of his employment with [DEFENDANT TRACTOR AND TRAILER LESSEE CO];
- c. IN THAT it allowed defendant [DEFENDANT DRIVER] to operate The Truck on the subject date when it knew, or should have known, that [DEFENDANT DRIVER]'s background and motor vehicle history made him an unsuitable candidate for such employment;
- d. IN THAT it allowed The Truck to be driven by the defendant [DEFENDANT DRIVER] when it knew, or should have known, that [DEFENDANT DRIVER] had a history of unsafe driving and multiple motor vehicle violations;
- e. IN THAT it failed to properly train its operators, and allowed the defendant [DEFENDANT DRIVER] to drive a tractor trailer truck when said employee was not qualified to do so, in violation of 49 C.F.R. §§ 383, 390 and/or 392;

- f. IN THAT it failed to perform a proper investigation of the defendant [DEFENDANT DRIVER] prior to the time of hiring, in violation of 49 C.F.R. § 391.23;
- g. IN THAT it failed to keep proper records of the defendant [DEFENDANT DRIVER]'s driving history, in violation of 49 C.F.R. § 395.3;
- h. IN THAT it failed to perform a proper investigation of the defendant [DEFENDANT DRIVER] prior to the time of hiring, in violation of 49 C.F.R. § 391.23;
- i. IN THAT it allowed the defendant [DEFENDANT DRIVER] to operate a commercial motor vehicle when he did not have sufficient understanding of the English language as to allow for conversation and/or reasonable comprehension of traffic signs, in violation of 49 C.F.R. § 391.11(b)(2);
- j. IN THAT it failed to require that its driver, defendant [DEFENDANT DRIVER], observe his duties under the federal regulations, in violation of the duty imposed upon defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO] as a motor carrier company under 49 C.F.R. § 390.11;
- k. IN THAT it aided defendant [DEFENDANT DRIVER] in violating the federal regulations for motor carrier safety, in violation of 49 C.F.R. § 390.13; and
- l. IN THAT it failed to comply with the Federal Motor Carrier Safety Regulations in violation of 49 C.F.R. § 392.1.

16. The defendant's deliberate and/or reckless disregard for the safety of other persons in violation of the aforementioned statutes, regulations and principles of safety on the roadway, was a substantial factor in causing the plaintiff's decedent's fatal injuries.

17. As a result of the recklessness of the defendant, the plaintiff's decedent's vehicle violently collided with The Truck and was destroyed by the undercarriage of The

Truck's trailer, causing the plaintiff's decedent to sustain severe, catastrophic and life-ending injuries.

18. As a result of the reckless, willful, wanton and/or malicious conduct of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was caused severe injuries as a result of the collision. Subsequent examination revealed that the plaintiff's decedent sustained and suffered severe personal injuries, including a blunt traumatic head injury, with extensive facial and scalp lacerations, facial fractures, skull fractures, internal bleeding of the brain, intercranial swelling and respiratory distress in addition to numerous abrasions and lacerations to other parts of his body, including the abdomen and extremities. Prior to his death, [DECEASED PLAINTIFF] suffered great physical pain and mental anguish.

19. As a result of the reckless, willful, wanton and/or malicious conduct of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was emergently transported to a critical care facility where he underwent numerous emergency and life-saving procedures for a period of four days before succumbing to his injuries, which included intracranial hemorrhage; closed traumatic brain injury; acute head injury with loss of consciousness; closed fracture of multiple ribs of right side with delayed healing; bilateral pulmonary contusion; acute respiratory failure following trauma and surgery and pneumocephalus.

20. Some or all of the plaintiff's injuries are of a permanent nature.

21. As a further result of the defendant's reckless, willful, wanton and/or malicious disregard for the safety of other persons, the plaintiff's decedent ultimately expired due to the injuries he sustained, thereby destroying all of the decedent's ability to carry out all of life's activities in a full, active and rewarding manner, all to the loss and damage of his estate.

22. As a further result of the defendant's reckless, willful, wanton and/or malicious conduct, the plaintiff's decedent's ability to earn wages has been permanently destroyed.

23. As a further result of the defendant's reckless, willful, wanton and/or malicious and the decedent's resulting death, the plaintiff, [PLAINTIFF ESTATE ADMIN/EXEC], as Administratrix of the Estate of [DECEASED PLAINTIFF], incurred considerable funeral, burial, medical and administrative expenses, all to the loss and damage of said estate.

24. The subject action is brought pursuant to Connecticut's Wrongful Death Statute, Connecticut General Statute § 52-555.

COUNT SEVENTEEN: (Recklessness v. [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER])

1-14. The plaintiff hereby incorporates paragraphs 1-14 of Count One as her corresponding paragraphs 1-14 of Count Seventeen as if fully set forth herein.

15. The defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER] is the sole principal, owner and proprietor of the defendant LLC

[DEFENDANT TRACTOR AND TRAILER LESSEE CO] and all its related pseudonyms, corporations and/or businesses. At all times relevant hereto, [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER] exercised full control over [DEFENDANT TRACTOR AND TRAILER LESSEE CO], manipulated its operation and failed to adhere to and respect corporate duties and responsibilities, such that the existence of a separate entity is solely legal fiction that should not afford [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER] – the real actor – the shield of immunity of the corporate structure.

16. Additionally, [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER] is personally and individually liable in tort for his negligent conduct irrespective of the existence of a proper LLC.

17. At all times relevant hereto, the defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER] was an “employer” as defined in 49 U.S.C. § 31132(3), 49 C.F.R. §§ 383.5 and/or 390.5, and was subject to FMCSR requirements.

18. At all times relevant hereto, the defendant [DEFENDANT DRIVER] was an “employee” of the defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER] as defined in 49 U.S.C. § 31132(2), 49 C.F.R. §§ 383.5 and/or 390.5, and was subject to FMCSR requirements.

19. The fatal injuries and losses sustained by the plaintiff’s decedent, [DECEASED PLAINTIFF], were caused by the recklessness of the defendant

[DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER] in one or more of the following ways:

- a. IN THAT the defendant hired defendant [DEFENDANT DRIVER] without conducting an adequate investigation of his background, motor vehicle history, and suitability for the position of operator of a tractor trailer truck;
- b. IN THAT the defendant failed to conduct adequate and periodic investigations into the defendant [DEFENDANT DRIVER]'s background, motor vehicle history and suitability for the position of operator of a commercial vehicle after he had been hired and during the course of his employment;
- c. IN THAT the defendant allowed [DEFENDANT DRIVER] to operate The Truck on the subject date when he knew, or should have known, that [DEFENDANT DRIVER]'s background and motor vehicle history made him an unsuitable candidate for such employment;
- d. IN THAT the defendant allowed The Truck to be driven by the defendant [DEFENDANT DRIVER] when he knew, or should have known, that [DEFENDANT DRIVER] had a history of unsafe driving and multiple motor vehicle violations;
- e. IN THAT the defendant failed to properly train his operators, and allowed the defendant [DEFENDANT DRIVER] to drive a tractor trailer truck when said employee was not qualified to do so, in violation of 49 C.F.R. §§ 383, 390 and/or 392;
- f. IN THAT the defendant failed to perform a proper investigation of the defendant [DEFENDANT DRIVER] prior to the time of hiring, in violation of 49 C.F.R. § 391.23;
- g. IN THAT the defendant failed to keep proper records of the defendant [DEFENDANT DRIVER]'s driving history, in violation of 49 C.F.R. § 395.3;
- h. IN THAT the defendant failed to perform a proper investigation of the defendant [DEFENDANT DRIVER] prior to the time of hiring, in violation of 49 C.F.R. § 391.23;

- i. IN THAT the defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER] allowed the defendant [DEFENDANT DRIVER] to operate a commercial motor vehicle when he did not have sufficient understanding of the English language as to allow for conversation and/or reasonable comprehension of traffic signs, in violation of 49 C.F.R. § 391.11(b)(2);
- j. IN THAT the defendant failed to require that his driver, defendant [DEFENDANT DRIVER], observe his duties under the federal regulations, in violation of the duty imposed upon defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER] as a motor carrier under 49 C.F.R. § 390.11;
- k. IN THAT the defendant operated his business in a manner designed to avoid the duties and obligations of the Federal Motor Carrier Safety Regulations, thereby posing a danger to the public;
- l. THAT the defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER] aided defendant [DEFENDANT DRIVER] in violating the federal regulations for motor carrier safety, in violation of 49 C.F.R. § 390.13; and
- m. THAT the defendant failed to comply with the Federal Motor Carrier Safety Regulations in violation of 49 C.F.R. § 392.1.

20. The defendant's deliberate and/or reckless disregard for the safety of other persons in violation of the aforementioned statutes, regulations and principles of safety on the roadway, was a substantial factor in causing the plaintiff's decedent's fatal injuries.

21. As a result of the recklessness of the defendant, the plaintiff's decedent's vehicle violently collided with The Truck and was destroyed by the undercarriage of The Truck's trailer, causing the plaintiff's decedent to sustain severe, catastrophic and life-ending injuries.

22. As a result of the reckless, willful, wanton and/or malicious conduct of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was caused severe injuries as a result of the collision. Subsequent examination revealed that the plaintiff's decedent sustained and suffered severe personal injuries, including a blunt traumatic head injury, with extensive facial and scalp lacerations, facial fractures, skull fractures, internal bleeding of the brain, intercranial swelling and respiratory distress in addition to numerous abrasions and lacerations to other parts of his body, including the abdomen and extremities. Prior to his death, [DECEASED PLAINTIFF] suffered great physical pain and mental anguish.

23. As a result of the reckless, willful, wanton and/or malicious conduct of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was emergently transported to a critical care facility where he underwent numerous emergency and life-saving procedures for a period of four days before succumbing to his injuries, which included intracranial hemorrhage; closed traumatic brain injury; acute head injury with loss of consciousness; closed fracture of multiple ribs of right side with delayed healing; bilateral pulmonary contusion; acute respiratory failure following trauma and surgery and pneumocephalus.

24. Some or all of the plaintiff's injuries are of a permanent nature.

25. As a further result of the defendant's reckless, willful, wanton and/or malicious disregard for the safety of other persons, the plaintiff's decedent ultimately expired due to the injuries he sustained, thereby destroying all of the decedent's ability

to carry out all of life's activities in a full, active and rewarding manner, all to the loss and damage of his estate.

26. As a further result of the defendant's reckless, willful, wanton and/or malicious conduct, the plaintiff's decedent's ability to earn wages has been permanently destroyed.

27. As a further result of the defendant's reckless, willful, wanton and/or malicious and the decedent's resulting death, the plaintiff, [PLAINTIFF ESTATE ADMIN/EXEC], as Administratrix of the Estate of [DECEASED PLAINTIFF], incurred considerable funeral, burial, medical and administrative expenses, all to the loss and damage of said estate.

28. The subject action is brought pursuant to Connecticut's Wrongful Death Statute, Connecticut General Statute § 52-555.

COUNT EIGHTEEN: (Recklessness v. [DEFENDANT TRUCK OWNER])

1-14. The plaintiff hereby incorporates paragraphs 1-14 of Count One as her corresponding paragraphs 1-14 of Count Eighteen as if fully set forth herein.

15. The fatal injuries and losses sustained by the plaintiff's decedent, [DECEASED PLAINTIFF], were caused by the recklessness of the defendant in one or more of the following ways:

- a. IN THAT the defendant hired defendant [DEFENDANT DRIVER] without conducting an adequate investigation of his background, motor vehicle history, and suitability for the position of operator of a tractor trailer truck;

- b. IN THAT the defendant failed to conduct adequate and periodic investigations into the defendant [DEFENDANT DRIVER]'s background, motor vehicle history and suitability for the position of operator of a commercial vehicle after he had been hired and during the course of his employment;
- c. IN THAT the defendant leased the tractor to the defendant company, [DEFENDANT TRACTOR AND TRAILER LESSEE CO], without conducting an adequate investigation into the company's background, competence and/or experience;
- d. IN THAT the defendant allowed [DEFENDANT DRIVER] to operate The Truck on the subject date when he knew, or should have known, that [DEFENDANT DRIVER]'s background and motor vehicle history made him an unsuitable candidate for such employment;
- e. IN THAT the defendant allowed The Truck to be driven by the defendant [DEFENDANT DRIVER] when he knew, or should have known, that [DEFENDANT DRIVER] had a history of unsafe driving and multiple motor vehicle violations;
- f. IN THAT the defendant failed to properly train his operators, and allowed the defendant [DEFENDANT DRIVER] to drive a tractor trailer truck when said employee was not qualified to do so, in violation of 49 C.F.R. §§ 383, 390 and/or 392;
- g. IN THAT the defendant failed to perform a proper investigation of the defendant [DEFENDANT DRIVER] and/or the defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO] prior to the time of renting or leasing the tractor, in violation of 49 C.F.R. § 391.23;
- h. IN THAT the defendant failed to perform a proper investigation of the defendant [DEFENDANT DRIVER] prior to the time of hiring, in violation of 49 C.F.R. § 391.23;
- i. IN THAT the defendant [DEFENDANT TRUCK OWNER] failed to perform a proper investigation of the defendant [DEFENDANT DRIVER] prior to the time of hiring, in violation of 49 C.F.R. § 391.23;
- j. IN THAT the defendant failed to keep proper records of the defendant [DEFENDANT DRIVER]'s driving history, in violation of 49 C.F.R. § 395.3;

- k. IN THAT the defendant [DEFENDANT TRUCK OWNER] failed to perform a proper investigation of the defendant [DEFENDANT DRIVER] prior to the time of hiring, in violation of 49 C.F.R. § 391.23;
- l. IN THAT the defendant [DEFENDANT TRUCK OWNER] allowed the defendant [DEFENDANT DRIVER] to operate a commercial motor vehicle when he did not have sufficient understanding of the English language as to allow for conversation and/or reasonable comprehension of traffic signs, in violation of 49 C.F.R. § 391.11(b)(2);
- m. IN THAT the defendant [DEFENDANT TRUCK OWNER] failed to require that its driver, defendant [DEFENDANT DRIVER], observe his duties under the federal regulations, in violation of the duty imposed open the defendant as a motor carrier under 49 C.F.R. § 390.11;
- n. IN THAT the defendant [DEFENDANT TRUCK OWNER] aided defendant [DEFENDANT DRIVER] in violating the federal regulations for motor carrier safety, in violation of 49 C.F.R. § 390.13; and
- o. IN THAT the defendant failed to comply with the Federal Motor Carrier Safety Regulations in violation of 49 C.F.R. § 392.1.

16. The defendant's deliberate and/or reckless disregard for the safety of other persons in violation of the aforementioned statutes, regulations and principles of safety on the roadway, was a substantial factor in causing the plaintiff's decedent's fatal injuries.

17. As a result of the recklessness of the defendant, the plaintiff's decedent's vehicle violently collided with The Truck and was destroyed by the undercarriage of The Truck's trailer, causing the plaintiff's decedent to sustain severe, catastrophic and life-ending injuries.

18. As a result of the reckless, willful, wanton and/or malicious conduct of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was caused severe

injuries as a result of the collision. Subsequent examination revealed that the plaintiff's decedent sustained and suffered severe personal injuries, including a blunt traumatic head injury, with extensive facial and scalp lacerations, facial fractures, skull fractures, internal bleeding of the brain, intercranial swelling and respiratory distress in addition to numerous abrasions and lacerations to other parts of his body, including the abdomen and extremities. Prior to his death, [DECEASED PLAINTIFF] suffered great physical pain and mental anguish.

19. As a result of the reckless, willful, wanton and/or malicious conduct of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was emergently transported to a critical care facility where he underwent numerous emergency and life-saving procedures for a period of four days before succumbing to his injuries, which included intracranial hemorrhage; closed traumatic brain injury; acute head injury with loss of consciousness; closed fracture of multiple ribs of right side with delayed healing; bilateral pulmonary contusion; acute respiratory failure following trauma and surgery and pneumocephalus.

20. Some or all of the plaintiff's injuries are of a permanent nature.

21. As a further result of the defendant's reckless, willful, wanton and/or malicious disregard for the safety of other persons, the plaintiff's decedent ultimately expired due to the injuries he sustained, thereby destroying all of the decedent's ability to carry out all of life's activities in a full, active and rewarding manner, all to the loss and damage of his estate.

22. As a further result of the defendant's reckless, willful, wanton and/or malicious conduct, the plaintiff's decedent's ability to earn wages has been permanently destroyed.

23. As a further result of the defendant's reckless, willful, wanton and/or malicious and the decedent's resulting death, the plaintiff, [PLAINTIFF ESTATE ADMIN/EXEC], as Administratrix of the Estate of [DECEASED PLAINTIFF], incurred considerable funeral, burial, medical and administrative expenses, all to the loss and damage of said estate.

24. The subject action is brought pursuant to Connecticut's Wrongful Death Statute, Connecticut General Statute § 52-555.

COUNT NINETEEN: (Recklessness v. [DEFENDANT TRAILER OWNER])

1-14. The plaintiff hereby incorporates paragraphs 1-14 of Count One as her corresponding paragraphs 1-14 of Count Nineteen as if fully set forth herein.

15. The fatal injuries and losses sustained by the plaintiff's decedent, [DECEASED PLAINTIFF], were caused by the recklessness of the defendant [DEFENDANT TRAILER OWNER], acting through its agents, servants or employees, in one or more of the following ways:

- a. IN THAT the defendant hired defendant [DEFENDANT DRIVER] without conducting an adequate investigation of his background, motor vehicle history, and suitability for the position of operator of a tractor trailer truck;
- b. IN THAT the defendant failed to conduct adequate and periodic investigations into the defendant [DEFENDANT DRIVER]'s background, motor vehicle history and suitability for the position of operator of a

commercial vehicle after he had been hired and during the course of his employment;

- c. IN THAT the defendant leased the trailer to the defendant company, [DEFENDANT TRACTOR AND TRAILER LESSEE CO], without conducting an adequate investigation into the company's background, competence and/or experience;
- d. IN THAT the defendant allowed [DEFENDANT DRIVER] to operate The Truck on the subject date when he knew, or should have known, that [DEFENDANT DRIVER]'s background and motor vehicle history made him an unsuitable candidate for such employment;
- e. IN THAT the defendant allowed The Truck to be driven by the defendant [DEFENDANT DRIVER] when he knew, or should have known, that [DEFENDANT DRIVER] had a history of unsafe driving and multiple motor vehicle violations;
- f. IN THAT the defendant failed to properly train its operators, and allowed the defendant [DEFENDANT DRIVER] to drive a tractor trailer truck when said employee was not qualified to do so, in violation of 49 C.F.R. §§ 383, 390 and/or 392;
- g. IN THAT the defendant failed to perform a proper investigation of the defendant [DEFENDANT DRIVER] and/or the defendant [DEFENDANT TRACTOR AND TRAILER LESSEE CO] prior to the time of renting or leasing the trailer, in violation of 49 C.F.R. § 391.23;
- h. IN THAT the defendant failed to perform a proper investigation of the defendant [DEFENDANT DRIVER] prior to the time of hiring, in violation of 49 C.F.R. § 391.23;
- i. IN THAT the defendant failed to perform a proper investigation of the defendant [DEFENDANT DRIVER] prior to the time of hiring, in violation of 49 C.F.R. § 391.23;
- j. IN THAT the defendant failed to keep proper records of the defendant [DEFENDANT DRIVER]'s driving history, in violation of 49 C.F.R. § 395.3;

- k. IN THAT the defendant failed to perform a proper investigation of the defendant [DEFENDANT DRIVER] prior to the time of hiring, in violation of 49 C.F.R. § 391.23;
- l. IN THAT the defendant allowed the defendant [DEFENDANT DRIVER] to operate a commercial motor vehicle when he did not have sufficient understanding of the English language as to allow for conversation and/or reasonable comprehension of traffic signs, in violation of 49 C.F.R. § 391.11(b)(2);
- m. IN THAT the defendant failed to require that its driver, defendant [DEFENDANT DRIVER], observe his duties under the federal regulations, in violation of the duty imposed upon the defendant as a motor carrier under 49 C.F.R. § 390.11;
- n. IN THAT the defendant aided defendant [DEFENDANT DRIVER] in violating the federal regulations for motor carrier safety, in violation of 49 C.F.R. § 390.13; and
- o. IN THAT the defendant failed to comply with the Federal Motor Carrier Safety Regulations in violation of 49 C.F.R. § 392.1.

16. The defendant's deliberate and/or reckless disregard for the safety of other persons in violation of the aforementioned statutes, regulations and principles of safety on the roadway, was a substantial factor in causing the plaintiff's decedent's fatal injuries.

17. As a result of the recklessness of the defendant, the plaintiff's decedent's vehicle violently collided with The Truck and was destroyed by the undercarriage of The Truck's trailer, causing the plaintiff's decedent to sustain severe, catastrophic and life-ending injuries.

18. As a result of the reckless, willful, wanton and/or malicious conduct of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was caused severe

injuries as a result of the collision. Subsequent examination revealed that the plaintiff's decedent sustained and suffered severe personal injuries, including a blunt traumatic head injury, with extensive facial and scalp lacerations, facial fractures, skull fractures, internal bleeding of the brain, intercranial swelling and respiratory distress in addition to numerous abrasions and lacerations to other parts of his body, including the abdomen and extremities. Prior to his death, [DECEASED PLAINTIFF] suffered great physical pain and mental anguish.

19. As a result of the reckless, willful, wanton and/or malicious conduct of the defendant, the plaintiff's decedent, [DECEASED PLAINTIFF], was emergently transported to a critical care facility where he underwent numerous emergency and life-saving procedures for a period of four days before succumbing to his injuries, which included intracranial hemorrhage; closed traumatic brain injury; acute head injury with loss of consciousness; closed fracture of multiple ribs of right side with delayed healing; bilateral pulmonary contusion; acute respiratory failure following trauma and surgery and pneumocephalus.

20. Some or all of the plaintiff's injuries are of a permanent nature.

21. As a further result of the defendant's reckless, willful, wanton and/or malicious disregard for the safety of other persons, the plaintiff's decedent ultimately expired due to the injuries he sustained, thereby destroying all of the decedent's ability to carry out all of life's activities in a full, active and rewarding manner, all to the loss and damage of his estate.

22. As a further result of the defendant's reckless, willful, wanton and/or malicious conduct, the plaintiff's decedent's ability to earn wages has been permanently destroyed.

23. As a further result of the defendant's reckless, willful, wanton and/or malicious and the decedent's resulting death, the plaintiff, [PLAINTIFF ESTATE ADMIN/EXEC], as Administratrix of the Estate of [DECEASED PLAINTIFF], incurred considerable funeral, burial, medical and administrative expenses, all to the loss and damage of said estate.

24. The subject action is brought pursuant to Connecticut's Wrongful Death Statute, Connecticut General Statute § 52-555.

COUNT TWENTY: (Loss of Consortium – [PLAINTIFF ESTATE ADMIN/EXEC] v. [DEFENDANT DRIVER])

1-22. The plaintiff hereby incorporates paragraphs 1-22 of Count One as her corresponding paragraphs 1-22 of Count Twenty as if fully set forth herein.

23-46. The plaintiff hereby incorporates paragraphs 1-24 of Count Fourteen as her corresponding paragraphs 23-46 of Count Twenty as if fully set forth herein.

47-70. The plaintiff hereby incorporates paragraphs 1-24 of Count Fifteen as her corresponding paragraphs 47-70 of Count Twenty as if fully set forth herein.

71. At all times mentioned herein, the plaintiff, [PLAINTIFF ESTATE ADMIN/EXEC], was married and lawfully wed to the decedent, [DECEASED PLAINTIFF].

72. As a result of the defendant's conduct, the plaintiff, [PLAINTIFF ESTATE ADMIN/EXEC], has suffered the loss of her husband's companionship and society, care, affection, comfort, services and moral support.

COUNT TWENTY-ONE: (Loss of Consortium – [PLAINTIFF ESTATE ADMIN/EXEC] v. [DEFENDANT TRACTOR AND TRAILER LESSEE CO])

1-26. The plaintiff hereby incorporates paragraphs 1-26 of Count Two as her corresponding paragraphs 1-26 of Count Twenty-One as if fully set forth herein.

27-51. The plaintiff hereby incorporates paragraphs 1-25 of Count Six as her corresponding paragraphs 27-51 of Count Twenty-One as if fully set forth herein.

52-75. The plaintiff hereby incorporates paragraphs 1-24 of Count Ten as her corresponding paragraphs 52-75 of Count Twenty-One as if fully set forth herein.

76-99. The plaintiff hereby incorporates paragraphs 1-24 of Count Sixteen as her corresponding paragraphs 76-99 of Count Twenty-One as if fully set forth herein.

100. At all times mentioned herein, the plaintiff, [PLAINTIFF ESTATE ADMIN/EXEC], was married and lawfully wed to the decedent. [DECEASED PLAINTIFF].

101. As a result of the defendant's conduct, the plaintiff, [PLAINTIFF ESTATE ADMIN/EXEC], has suffered the loss of her husband's companionship and society, care, affection, comfort, services and moral support.

COUNT TWENTY-TWO: (Loss of Consortium – [PLAINTIFF ESTATE ADMIN/EXEC] v. [DEFENDANT TRACTOR AND TRAILER LESSEE CO OWNER])

1-31. The plaintiff hereby incorporates paragraphs 1-31 of Count Three as her corresponding paragraphs 1-31 of Count Twenty-Two as if fully set forth herein.

32-58. The plaintiff hereby incorporates paragraphs 1-27 of Count Seven as her corresponding paragraphs 32-58 of Count Twenty-Two as if fully set forth herein.

59-83. The plaintiff hereby incorporates paragraphs 1-25 of Count Eleven as her corresponding paragraphs 59-83 of Count Twenty-Two as if fully set forth herein.

84-111. The plaintiff hereby incorporates paragraphs 1-28 of Count Seventeen as her corresponding paragraphs 84-111 of Count Twenty-Two as if fully set forth herein.

112. At all times mentioned herein, the plaintiff, [PLAINTIFF ESTATE ADMIN/EXEC], was married and lawfully wed to the decedent, [DECEASED PLAINTIFF].

113. As a result of the defendant's conduct, the plaintiff, [PLAINTIFF ESTATE ADMIN/EXEC], has suffered the loss of her husband's companionship and society, care, affection, comfort, services and moral support.

COUNT TWENTY-THREE: (Loss of Consortium – [PLAINTIFF ESTATE ADMIN/EXEC] v. [DEFENDANT TRUCK OWNER])

1-27. The plaintiff hereby incorporates paragraphs 1-27 of Count Four as her corresponding paragraphs 1-27 of Count Twenty-Three as if fully set forth herein.

28-51. The plaintiff hereby incorporates paragraphs 1-24 of Count Eight as her corresponding paragraphs 28-51 of Count Twenty-Three as if fully set forth herein.

52-75. The plaintiff hereby incorporates paragraphs 1-24 of Count Twelve as her corresponding paragraphs 52-75 of Count Twenty-Three as if fully set forth herein.

76-99. The plaintiff hereby incorporates paragraphs 1-24 of Count Eighteen as her corresponding paragraphs 76-99 of Count Twenty-Three as if fully set forth herein.

100. At all times mentioned herein, the plaintiff, [PLAINTIFF ESTATE ADMIN/EXEC], was married and lawfully wed to the decedent, [DECEASED PLAINTIFF].

101. As a result of the defendant's conduct, the plaintiff, [PLAINTIFF ESTATE ADMIN/EXEC], has suffered the loss of her husband's companionship and society, care, affection, comfort, services and moral support.

COUNT TWENTY-FOUR: (Loss of Consortium – [PLAINTIFF ESTATE ADMIN/EXEC] v. [DEFENDANT TRAILER OWNER])

1-27. The plaintiff hereby incorporates paragraphs 1-27 of Count Five as her corresponding paragraphs 1-27 of Count Twenty-Four as if fully set forth herein.

28-51. The plaintiff hereby incorporates paragraphs 1-24 of Count Nine as her corresponding paragraphs 28-51 of Count Twenty-Four as if fully set forth herein.

52-75. The plaintiff hereby incorporates paragraphs 1-24 of Count Thirteen as her corresponding paragraphs 52-75 of Count Twenty-Four as if fully set forth herein.

76-99. The plaintiff hereby incorporates paragraphs 1-24 of Count Nineteen as her corresponding paragraphs 76-99 of Count Twenty-Four as if fully set forth herein.

