



IN THE SUPERIOR COURT OF FULTON COUNTY, GEORGIA
136 PRYOR STREET, ROOM C-103, ATLANTA, GEORGIA 30303
SUMMONS

<u>CAMAL RASHADA</u>) Case	2016CV270270
) No.:	
)	
)	
Plaintiff,)	
)	
vs.)	
)	
)	
<u>MARTA</u>)	
Defendant)	
)	
)	
)	

TO THE ABOVE NAMED DEFENDANT(S):

You are hereby summoned and required to file with the Clerk of said Court and serve upon plaintiff's attorney, whose name and address is:

Keith E. Fryer, Esq.
FRYER, SHUSTER & LESTER, P.C.
1050 Crown Pointe Parkway, Suite 410
Atlanta, Georgia 30338 -- 770-668-9300

An answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service; unless proof of service of this complaint is not filed within five (5) business days of such service. Then time to answer shall not commence until such proof of service has been filed. **IF YOU FAIL TO DO SO, JUDGMENT BY DEFAULT WILL BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.**

This 1/14/2016 day of _____, 20____

Honorable Cathelene "Tina" Robinson
Clerk of Superior Court
By Brenda Ray
Deputy Clerk

To defendant upon whom this petition is served:

This copy of complaint and summons was served upon you _____, 20____

Deputy Sheriff

General Civil Case Filing Information Form (Non-Domestic)

Court County Fulton Date Filed 01/14/2016
 Superior Docket # 2016CV270270 MM-DD-YYYY
 State

Plaintiff(s)

RASHADA, CAMAL
 Last First Middle I. Suffix Prefix Maiden

 Last First Middle I. Suffix Prefix Maiden

 Last First Middle I. Suffix Prefix Maiden

 Last First Middle I. Suffix Prefix Maiden

No. of Plaintiffs 1

Plaintiff/Petitioner's Attorney Pro Se

Fryer, Keith E.
 Last First Middle I. Suffix

Bar # 279037

Defendant(s)

Metro Atlanta Rapid Transit Authority
 Last First Middle I. Suffix Prefix Maiden

 Last First Middle I. Suffix Prefix Maiden

 Last First Middle I. Suffix Prefix Maiden

 Last First Middle I. Suffix Prefix Maiden

No. of Defendants 1

Check Primary Type (Check only ONE)

- Contract/Account
- Wills/Estate
- Real Property
- Dispossessory/Distress
- Personal Property
- Equity
- Habeas Corpus
- Appeals, Reviews
- Post Judgement Garnishment, Attachment, or Other Relief
- Non-Domestic Contempt
- Tort (If tort, fill in right column)
- Other General Civil Specify _____

**If Tort is Case Type:
(Check no more than TWO)**

- Auto Accident
- Premises Liability
- Medical Malpractice
- Other Professional Negligence
- Product Liability
- Other Specify _____

Are Punitive Damages Pleaded? Yes No

I hereby certify that the documents in this filing (including attachments and exhibits) satisfy the requirements for redaction of personal or confidential information in O.C.G.A. 9-11-7.1

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

CAMAL RASHADA,)	
)	
PLAINTIFF,)	
)	
v.)	CIVIL ACTION
)	FILE NO. <u>2016CV270270</u>
METROPOLITAN ATLANTA RAPID)	
TRANSIT AUTHORITY,)	
)	
DEFENDANT.)	
_____)	

COMPLAINT FOR DAMAGES

COMES NOW Plaintiff Camal Rashada and files his Complaint for Damages against the above-named Defendant and in furtherance thereof shows this Honorable Court the following:

1.

Defendant Metropolitan Atlanta Rapid Transit Authority (hereinafter "MARTA") is subject to the jurisdiction and venue of this Court and Summons and a copy of Plaintiff's Complaint for Damages may be served upon it Registered Agent, Elizabeth O'Neill at 2424 Piedmont Road, NE, Atlanta, Fulton County, Georgia 30324.

2.

On or about July 19, 2015, Plaintiff Camal Rashada was acting as a security guard with his employer, Norred and Associates and was guarding a MARTA fare cart being operated by MARTA employee, Jimmy Arnold, at the Lindbergh Station.

3.

At the above referenced date and place, Jimmy Arnold, acting within the course and scope of his employment with MARTA, drove the fare cart into the back of Plaintiff Camal Rashada.

4.

As a result of the collision between the fare cart and Plaintiff Camal Rashada's back, Plaintiff Camal Rashada suffered personal injuries, including herniated discs to his neck and back.

5.

The collision referred to hereinabove proximately resulted from the negligence of Jimmy Arnold acting within the course and scope of his employment with Defendant MARTA in failing to keep a proper lookout and in failing to maintain control over the fare cart.

6.

On the date of the collision with Plaintiff Camal Rashada, Jimmy Arnold drove the fare cart into other fixed objects including but not limited to an elevator door causing damage to the elevator system.

7.

Because of the injuries suffered by Plaintiff Camal Rashada, Plaintiff Camal Rashada incurred medical expense including but not limited to physician services, prescription expenses, physical therapy, and radiology in an amount in excess of \$5,000.00 and will continue to incur such expenses into the future.

8.

As a result of the collision referred to hereinabove, and due to the injuries suffered by Plaintiff Camal Rashada, Plaintiff Camal Rashada has been disabled from his employment with Norred and Associates since July 20, 2015 and will continue to suffer from such injuries and disabilities into the future.

9.

As a result of suffering disability from his employment, Plaintiff Camal Rashada has lost an average of \$586.60 per week since July 20, 2015 or for a period of 26 weeks through January 15, 2016 and claims past lost wages in the amount of \$15,251.60 and future lost wages in the amount of \$586.60 per week until time of trial into the future for his work life expectancy.

10.

At all times relevant to Plaintiff's Complaint for Damages, Jimmy Arnold was acting within the course and scope of his employment with Defendant MARTA and Defendant MARTA is liable for all negligent acts of its employee Jimmy Arnold under the principle of *respondeat superior*.

11.

Defendant MARTA is liable for general and special damages for past, present and future pain and suffering, past present and future hospital, medical, and prescription expense, and permanent disability in an amount to be proven at trial for the negligent acts of its employee, Jimmy Arnold.

WHEREFORE, Plaintiff Camal Rashada demands judgment against Defendant MARTA for general and special damages in an amount to be proven at trial, that he have a trial by jury of the issues created in this case, that all costs be taxed against Defendant MARTA.

Respectfully submitted.

/s/: KEITH E. FRYER
Keith E. Fryer, Esq.
Attorney for Plaintiff
Georgia Bar No. 279037

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