

IN THE STATE COURT OF FULTON COUNTY
STATE OF GEORGIA

**FREDERICK HILL, as the Surviving
Spouse of KIMBERLY SHAREE HILL,
Deceased,**

Plaintiff,

v.

**PIEDMONT HOSPITAL, INC. and
PIEDMONT HEALTHCARE, INC.**

Defendants.

JURY TRIAL DEMANDED

Civil Action No.: _____

COMPLAINT FOR DAMAGES

COMES NOW Plaintiff Frederick Hill, as the Surviving Spouse of Kimberly Sharee Hill, Deceased, and files this Complaint for Damages against Defendants Piedmont Hospital, Inc. and Piedmont Healthcare, Inc., as follows:

PARTIES AND JURISDICTION

1.

Plaintiff Frederick Hill is a citizen and resident of Georgia and was married to Kimberly Sharee Hill at the time of her death. Plaintiff Frederick Hill files this lawsuit to recover all damages arising out of the death of his spouse, Kimberly Sharee Hill.

2.

Piedmont Hospital, Inc. is a Georgia corporation. Defendant Piedmont Hospital may be served with Summons and Complaint on its registered agent CSC of Cobb County, Inc., 192 Anderson Street, N.E., Suite 125, Marietta, Cobb County, Georgia 30060.

3.

Defendant Piedmont Healthcare, Inc. is a Georgia corporation. Defendant Piedmont Healthcare may be served with Summons and Complaint on its registered agent CSC of Cobb County, Inc., 192 Anderson Street, N.E., Suite 125, Marietta, Cobb County, Georgia 30060.

4.

Venue in the above-styled civil action is proper in this County and Court.

FACTS

5.

Plaintiff realleges and incorporates by reference the foregoing paragraphs as if they were fully restated verbatim herein.

6.

At all relevant times, Defendant Piedmont Hospital was the owner and occupier of Piedmont Atlanta Hospital located at 1968 Peachtree Road N.W., Atlanta, Georgia 30309.

7.

At all relevant times, Defendant Piedmont Healthcare occupied and managed Piedmont Atlanta Hospital.

8.

On June 30, 2020, Kimberly Hill and her siblings drove to Piedmont Atlanta Hospital to take their mother to the emergency department. Kimberly Hill was on the premises of Piedmont Atlanta Hospital as an invitee.

9.

The emergency department has an approach that goes in front of the building where vehicles have to drive toward the building and then turn left and stop to drop off, or pick up, patients under an overhang.

10.

The emergency department has a concrete apron in front of it that is utilized by people who are entering or exiting the emergency department, people who are waiting outside to be picked up or for other reasons, or by people who are walking to or from other locations. The apron has benches on it where people can sit.

11.

The apron did not have any bollards, barriers, or other barriers to prevent vehicles from driving onto the apron.

12.

On the morning of June 30, 2020, Kimberly Hill stopped her car in front of the emergency department and got out to go into the emergency department to check in her mother. At the same time and place, Mary Clayton was driving a vehicle toward the emergency department when she stopped behind Kimberly Hill's vehicle at the drop-off/pick-up location.

13.

While Kimberly Hill's vehicle was stopped, Mary Clayton's vehicle began to move forward. Mary Clayton struck the rear of Kimberly Hill's vehicle and continued driving forward into Kimberly Hill's vehicle.

14.

As she continued to drive forward, Mary Clayton's vehicle pushed Kimberly Hill's vehicle out of the way, and Ms. Clayton drove her vehicle onto the concrete apron where Kimberly Hill had just exited the emergency department.

15.

Kimberly Hill was on the apron when Mary Clayton's vehicle ran over her, causing Kimberly Hill to sustain serious injuries that resulted in her death.

16.

After striking Kimberly Hill, Mary Clayton's vehicle crashed into the emergency department.

**COUNT I – PLAINTIFF'S NEGLIGENCE CLAIM AGAINST DEFENDANTS
PIEDMONT HOSPITAL AND PIEDMONT HEALTHCARE**

17.

Plaintiff realleges and incorporates by reference the foregoing paragraphs as if they were fully restated verbatim herein.

18.

Defendant Piedmont Hospital was the owner and occupier of the area where Kimberly Hill sustained her fatal injuries.

19.

Defendant Piedmont Healthcare managed, occupied, and controlled the area where Kimberly Hill was fatally injured.

20.

Kimberly Hill was an invitee on the property at the time she was injured and died.

21.

Defendants had a duty to exercise ordinary care to keep the premises and approaches safe where Plaintiff was killed, and to exercise ordinary care to protect individuals such as Kimberly Hill from reasonably foreseeable hazards.

22.

Defendants breached their duty to exercise ordinary care and were negligent in at least the following particulars:

- a. In their design and layout of the parking lot and drive approaching the emergency department;
- b. In their design and layout of the drop-off/pick-up location at the emergency department;
- c. In their failure to provide bollards or other barriers to protect people on the apron outside the emergency department, and individuals inside the building; and,
- d. In committing such other negligent acts as may be shown by the evidence and proven at trial.

23.

As a direct and proximate result of Defendants' negligence, Kimberly Hill sustained serious physical injuries and died.

24.

Kimberly Hill's surviving husband, Plaintiff Frederick Hill, is entitled to award of special and general damages for the full value of his deceased spouse's life.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays and demands as follows:

1. That Process and Summons issue, as provided by law, requiring Defendants to appear and answer Plaintiff's Complaint;
2. That service be had upon Defendants as provided by law;
3. That the Court award and enter a judgment against Defendants and in favor of Plaintiff for special and general damages for the full value of the life of Kimberly Hill, in an amount to be proven at trial;
4. That Plaintiff have a trial by jury as to all issues; and
5. That Plaintiff have such other and further relief as the Court may deem just and proper.

Respectfully submitted,
THE CHAMPION FIRM, P.C.

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