

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF MACOMB

WILLIAM S. HANNAFORD,

Plaintiff,

vs.

No. 84-2877-NO

BILL'S SUBURBAN ALTERNATOR &
STARTER SERVICE, INC.
A Michigan Corporation, and
EDWARD MICHAEL HANNAFORD,
Jointly and Severally,

Hon.

Defendants.

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PETER DOZORC (P 12934)
Attorney for Plaintiff

COMPLAINT

NOW COMES the above named Plaintiff, WILLIAM S. HANNAFORD, by and through his Attorney, PETER DOZORC, and in Complaint against the Defendants represents unto this Honorable Court as follows:

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1. That the Plaintiff, WILLIAM S. HANNAFORD is a resident of the City of Detroit, State of Michigan.
2. That the Defendant, BILL'S SUBURBAN ALTERNATOR & STARTER SERVICE, INC., is a Michigan Corporation.
3. That the Defendant, EDWARD MICHAEL HANNAFORD, conducts business in the County of Macomb and State of Michigan.
4. That the incidents forming the substance of this Complaint took place in the County of Macomb, State of Michigan.
5. That the amount in controversy exceeds Ten Thousand (\$10,000.00) Dollars.

COUNT I

ASSAULT AND BATTERY

6. That on or about the 24th day of August, 1982, the Plaintiff herein was lawfully on the premises of a business

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establishment operated by the Defendant at 29230 Gratiot in the City of Roseville, County of Macomb.

7. That in the afternoon of said date at the time and place alleged herein, the Defendant, EDWARD MICHAEL HANNAFORD, did assault and batter the person of the Plaintiff by shooting him with a handgun, causing bullets to enter the Plaintiff's leg, arm, stomach and back.

8. That upon shooting the Plaintiff, the Defendant thereupon placed a loaded handgun at Plaintiff's head and pulled the trigger, failing, however, to discharge a bullet into the Plaintiff's head due to an apparent malfunction of the handgun.

9. That the assault and battery by the Defendant upon the Plaintiff was completely without provocation or justification.

10. That the assault and battery upon the Plaintiff was deliberate, intentional and premeditated and was intended by the Defendant to inflict grievous injury upon the person of the Plaintiff.

11. That as a direct and proximate result of the intentional acts of assault and battery by the Defendant, the Plaintiff suffered and will continue to suffer in the future from extreme and grievous physical, mental and emotional disabilities, including but not limited to the following:

- a. massive internal bleeding;
- b. rupture of the spleen and other internal organs;
- c. musculature damage to the arms, thighs and legs;
- d. broken bones;
- e. damage to the knee, elbow, shoulder, back, spinal column, hips, neck and other weight-supporting areas;
- f. extreme emotional and psychological trauma, worry, aggravation and mental suffering;

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g. Severe and permanent disabling injury to the central nervous system.

12. That the Plaintiff suffered and will continue to suffer in the future a loss of income and employability, loss of the enjoyment of normal social activities, and loss of esteem due to disfiguring injuries inflicted by the Defendant.

13. That all of the aforesaid injuries are a direct result of the actions of the Defendant as aforesaid.

WHEREFORE, Plaintiff prays for Judgment against the Defendants, Jointly and Severally in a sum to be determined by the trier of fact in this matter, together with whatever further relief may be deemed just and equitable in the premises.

COUNT II

NEGLIGENCE

NOW COMES the above named Plaintiff, WILLIAM S. HANNAFORD, and incorporates herein all of the Common Jurisdictional averments and all of the allegations of Count I as though fully stated herein.

14. That on the date and time and location as aforesaid, the Defendant, EDWARD MICHAEL HANNAFORD, discharged a firearm in the presence of the Plaintiff in a reckless and negligent and grossly negligent manner so as to pose an unreasonable risk of harm to the Plaintiff.

15. That on the date, time and place as aforesaid, the Defendant, Edward Michael Hannaford, discharged a firearm contrary to the laws of the State of Michigan and the Ordinances of the City of Roseville, pertaining to the use and maintenance and discharge of firearms.

16. That the actions of the Defendant as alleged herein were violations of statute and ordinance and constituted negligence per se.

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17. That as a direct and proximate result of the aforesaid negligence of the Defendant, the Plaintiff suffered and continues to suffer all of the injuries alleged in Count I of this Complaint.

18. That the discharge of the firearm by the Defendant was reckless, wanton and willful, and grossly negligent and proximately resulted in the injuries to Plaintiff herein alleged.

WHEREFORE, Plaintiff prays for Judgment against the Defendants, Jointly and Severally, for whatever amount may be determined by the trier of fact in this matter, together with costs, interest and attorney fees and such further relief as may be determined to be just and equitable in the premises.



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Dated: August 17, 1984