

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF KANE )

IN THE CIRCUIT COURT OF THE SIXTEENTH  
JUDICIAL CIRCUIT, KANE COUNTY, ILLINOIS

JESSICA HANSON, Individually and )  
as Parent and Next Friend of LEXI )  
HANSON, a minor, )

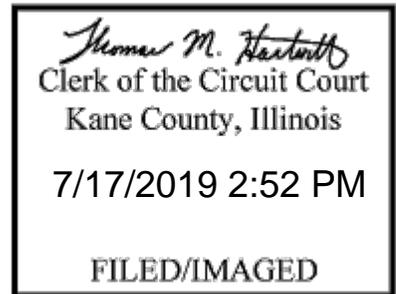
Plaintiff, )

19-L-000327

v. )

Case No. )

BRIAN QUARTUCCIO, )  
 )  
Defendant. )



**COMPLAINT AT LAW**

NOW COMES the Plaintiff, JESSICA HANSON, Individually and as Parent and Next Friend of LEXI HANSON, a minor, by and through her attorneys, JOHN J. MALM & ASSOCIATES, P.C., and for her Complaint against Defendant, BRIAN QUARTUCCIO (hereinafter “Defendant”), states as follows:

**COUNT I - NEGLIGENCE**

**Jessica Hanson, as Parent and Next Friend of Lexi Hanson, a minor v. Brian Quartuccio**

1. That at all times herein relevant and on or about May 12, 2019, Illinois Avenue was a public roadway running in a generally northbound and southbound direction at or near the intersection of Geneva Avenue in St. Charles Township, Kane County, Illinois.

2. That at all times herein relevant and on or about May 12, 2019, Geneva Avenue was a public roadway running in a generally eastbound and westbound direction at or near the intersection of Illinois Avenue in St. Charles Township, Kane County, Illinois.

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3. That at all times herein relevant and on or about May 12, 2019, LEXI HANSON, a minor, was crossing Illinois Avenue at or near the intersection of Geneva Avenue in St. Charles Township, Kane County, Illinois.

4. That at all times herein relevant and on or about May 12, 2019, Defendant was operating a 2003 Dodge Ram traveling southbound on Illinois Avenue at or near the intersection of Geneva Avenue in St. Charles Township, Kane County, Illinois.

5. That at all times herein relevant, Defendant owed a duty to LEXI HANSON to operate the aforementioned 2003 Dodge Ram in the exercise of ordinary care for the safety of LEXI HANSON and all other pedestrians, and to obey the traffic laws of the State of Illinois.

6. Defendant breached the duty aforesaid in one or more of the following ways:

(a) carelessly and negligently failed to keep a proper and sufficient look out on the above-referenced roadway, in violation of the traffic laws of the State of Illinois;

(b) carelessly and negligently failed to give an audible warning with his vehicle horn, in violation of the traffic laws of the State of Illinois;

(c) carelessly and negligently failed to operate a vehicle in safe, suitable, and proper control, in violation of the traffic laws of the State of Illinois;

(d) carelessly and negligently failed to stop, slow down, or otherwise alter the speed, movement, or direction of a vehicle to avoid a collision with LEXI HANSON;

(e) carelessly and negligently failed to reduce the speed of his motor vehicle to avoid a collision with LEXI HANSON, in violation of 625 ILCS 5/11-601(a); and

(f) otherwise carelessly and negligently operated a motor vehicle.

7. As a direct and proximate result of one or more of the foregoing negligent acts or omissions of Defendant, Defendant struck LEXI HANSON with his vehicle, causing her to suffer personal injuries and other pecuniary damages, all being past, present, and future.

WHEREFORE, the Plaintiff, JESSICA HANSON, as Parent and Next Friend of LEXI HANSON, a minor, hereby demands judgment against the Defendant, BRIAN QUARTUCCIO, for a sum in excess of Fifty Thousand Dollars (\$50,000.00), plus attorneys' fees and costs and such other and additional relief that to this court seems just.

**COUNT II – WILLFUL AND WANTON**

**Jessica Hanson, as Parent and Next Friend of Lexi Hanson, a minor v. Brian Quartuccio**

1-7. Plaintiff JESSICA HANSON, as Parent and Next Friend of LEXI HANSON, a minor, incorporates by reference the allegations contained in Paragraphs 1-7 of Count I as if fully recited and rewritten herein.

8. At all times herein relevant and material hereto, including May 12, 2019, Defendant owed a duty to LEXI HANSON to refrain from willful and wanton conduct, or such conduct manifesting a conscious disregard for the safety of others, including LEXI HANSON.

9. Defendant breached the duty aforesaid in one or more of the following ways:

(a) operated his motor vehicle at an excessive rate of speed, consciously disregarding the safety of others, including LEXI HANSON;

(b) left the scene of the motor vehicle collision, consciously disregarding the safety of LEXI HANSON, which placed her at a significantly greater risk of harm; and

(c) otherwise acted with conscious disregard or reckless indifference for the safety of LEXI HANSON.

10. As a proximate result of one or more of the foregoing negligent acts and/or omissions of Defendant, Defendant struck LEXI HANSON with his vehicle, causing LEXI HANSON to suffer personal injuries and other pecuniary damages, all being past, present, and future.

WHEREFORE, the Plaintiff, JESSICA HANSON, as Parent and Next Friend of LEXI HANSON, a minor, demands judgment against the Defendant, BRIAN QUARTUCCIO, for a sum in excess of Fifty Thousand Dollars (\$50,000.00), plus attorneys' fees and costs and such other additional relief that to this court seems just.

**COUNT III – FAMILY EXPENSE ACT**  
**Jessica Hanson, Individually, and as Parent and Next Friend of**  
**Lexi Hanson, a minor v. Brian Quartuccio**

1-7. Plaintiff JESSICA HANSON, Individually and as Parent and Next Friend of LEXI HANSON, a minor, incorporates by reference the allegations contained in Paragraphs 1-7 of Count I as if fully recited and rewritten herein.

8. As a proximate result of one or more of the foregoing negligent acts or omissions of the Defendant, LEXI HANSON, a minor, sustained injuries and damages of a personal and pecuniary nature, necessitating medical treatment, and resulting in medical expenses for her medical treatment.

9. JESSICA HANSON, Individually and as Parent and Next Friend of LEXI HANSON, a minor, incurred medical expenses for the treatment provided to LEXI HANSON.

10. This action is brought pursuant to the Family Expense Act, 750 ILCS 65/15.

WHEREFORE, the Plaintiff, JESSICA HANSON, Individually and as Parent and Next Friend of LEXI HANSON, a minor, demands judgment against the Defendant, BRIAN QUARTUCCIO, in such sum as will reasonably and fairly compensate JESSICA HANSON for

her damages resulting from the Defendant's negligence, for costs of suit, and for all other and further proper relief.

JOHN J. MALM & ASSOCIATES, P.C.

By:   
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Attorneys for Plaintiff, JESSICA HANSON, Individually and as Parent and Next Friend  
of LEXI HANSON, a minor

**NOTICE**

**BY ORDER OF THE COURT THIS CASE IS HEREBY SET FOR  
CASE MANAGEMENT CONFERENCE ON THE DATE BELOW.  
FAILURE TO APPEAR MAY RESULT IN THE CASE BEING  
DISMISSED OR AN ORDER OF DEFAULT BEING ENTERED.**

**Judge: Pheanis, Mark A**

**10/2/2019 9:00 AM**