



6. Plaintiff was injured and damaged as a direct and proximate result of the attack by Defendant's Dog.

7. Venue is proper in this Court under *735 ILCS 5/ 2-101*.

### **COUNT I - NEGLIGENCE**

8. Plaintiff incorporates and realleges the allegations in Paragraph 1 through Paragraph 8 as though fully set forth herein.

9. Defendant had a duty to use reasonable care in exercising control of Defendant's Dog.

10. Defendant's Dog had the vicious propensity to commit attacks similar to the one that occurred against Plaintiff.

11. Defendant knew or should have known of Defendant's Dog's vicious propensity to commit attacks similar to the one that occurred against Plaintiff.

12. On July 27, 2019, Defendant breached her duty of care to Plaintiff and was negligent in one or more of the following respects:

- a. Defendant failed to use reasonable care in exercising control of Defendant's Dog;
- b. Defendant failed to prevent Defendant's Dog from attacking Plaintiff;  
and/or
- c. Defendant failed to keep Defendant's Dog leashed or otherwise restrained.

13. As a direct and proximate result of Defendant's above-described conduct, Plaintiff was injured and damaged. These injuries include bites to Plaintiff's left arm multiple times, left side near her rib cage and back. Plaintiff has suffered pain and suffering in the past and will do so in the future.

14. As a direct and proximate result of Defendant's above-described conduct, Plaintiff has sustained, and will in the future sustain, damages for medical bills and costs relating to treatment for her injuries.

**WHEREFORE**, Plaintiff [REDACTED] respectfully requests a judgment against Defendant for her damages in an amount not greater than the \$50,000 jurisdictional limit of this Court under Rule 222, and for any further just and proper relief.

**COUNT II – STATUTORY LIABILITY UNDER 510 ILCS 5/16**

15. Plaintiff incorporates and realleges the allegations in Paragraph 1 through Paragraph 14 as though fully set forth herein.

16. 510 ILCS 5/16 states:

Animal attacks or injuries. If a dog or other animal, without provocation, attacks, attempts to attack, or injures any person who is peaceably conducting himself or herself in any place where he or she may lawfully be, the owner of such dog or other animal is liable in civil damages to such person for the full amount of the injury proximately caused thereby.

17. At all relevant times, including July 27, 2019, Defendant owned Defendant's Dog.

18. Defendant's Dog caused Plaintiff's injuries by attacking her and biting her left arm multiple times, left side near her rib cage and back.

19. Plaintiff did not provoke Defendant's Dog at the time of the attack on July 27, 2019.

20. Plaintiff was engaged in peaceful conduct at the time of the attack on July 27, 2019.

21. Plaintiff had the lawful right to be on Defendant's property on July 27, 2019, as a guest and invitee.

22. Defendant is strictly liable for the damages inflicted upon Plaintiff by Defendant's Dog, which was owned by Defendant, under 510 ILCS 5/16.

23. As a direct and proximate result of Defendant's Dog's attack, Plaintiff was injured and damaged. These injuries include bites to Plaintiff's left arm multiple times, left side near her rib cage and back. Plaintiff has suffered pain and suffering in the past and will do so in the future.

24. As a direct and proximate result of Defendant's Dog's attack, Plaintiff has sustained, and will in the future sustain, damages for medical bills and costs relating to treatment for her injuries.

**WHEREFORE**, Plaintiff [REDACTED] respectfully requests a judgment against Defendant for her damages in an amount not greater than the \$50,000 jurisdictional limit of this Court under Rule 222, and for any further just and proper relief.

Respectfully submitted,

**BURGER LAW, LLC**

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