

IN THE DISTRICT COURT OF SARPY COUNTY, NEBRASKA

ABDIQANI GELLE,

Plaintiff,

v.

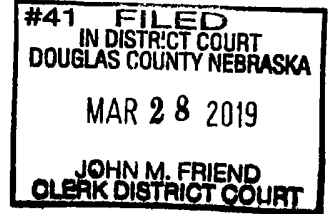
ANTHONY D. HARRIS, and CHICAGO
LUMBER COMPANY of OMAHA,

Defendants.

CASE NO. CI 19 - 2013

COMPLAINT

ASSIGNED TO Daugherty



Plaintiff Abdiquani Gelle ("Gelle") states for his Complaint:

1. As more fully described herein, venue is proper pursuant to Neb. Rev. Stat. §§ 25-403.01 and 403.02, and this Court has jurisdiction over Defendants pursuant to Neb. Rev. Stat. § 25-536.
2. Defendant Chicago Lumber Company of Omaha is a corporation organized under the laws of the State of Nebraska and has its registered office in Omaha, Douglas County, Nebraska.
3. At all times relevant herein, Defendant Anthony Harris was employed by and working within the scope of his employment with Defendant Chicago Lumber Company of Omaha.
4. On April 30, 2018, Gelle was driving an automobile on Interstate 80 when it became disabled, and Gelle then moved the automobile to the right shoulder.
5. After Gelle's automobile became disabled, he called for roadside assistance.
6. While waiting for roadside assistance, Gelle was violently rear ended by a 2017 Freightliner driven by Defendant Harris (the "Collision").



7. Defendant Harris' negligence was a direct and proximate cause of the Collision.
8. Defendant Harris was negligent in failing to keep a proper lookout.
9. Defendant Harris was negligent in failing to take evasive action.
10. Defendant Harris was negligent in failing to move the 2017 Freightliner into lanes of traffic to the left of Gelle's automobile.
11. Defendant Harris was negligent in failing to maintain proper control of the 2017 Freightliner.
12. Defendant Harris' negligence is imputed to Defendant Chicago Lumber Company of Omaha through the doctrine of *respondeat superior*.
13. As a direct and proximate result of the Collision, Gelle sustained injuries, including the following:
 - a. Subarachnoid hemorrhage
 - b. Subdural hemorrhage
 - c. Chronic zygomatic fracture
 - d. Right pneumothorax
 - e. Concussion and cognitive impairment.
14. As a direct and proximate result of the Collision, Gelle incurred medical bills in an amount to be proven at trial, but in no event less than \$69,542.94.
15. As a direct and proximate result of the Collision, Gelle incurred general damages in the form of physical pain, mental suffering, loss of enjoyment of life, and inconvenience.

16. As a direct and proximate result of the Collision, Gelle, who was able-bodied and 29 years old at the time of the Collision, incurred permanent injuries, and it is reasonably expected that he will continue to incur special and general damages in the future.

WHEREFORE, Plaintiff Abdiqani Gelle prays for a judgment against Defendants in an amount that will fairly and adequately compensate him for:

- a. Past and future expenses related to his medical treatment;
- b. Past and future physical pain, mental suffering, loss of enjoyment of life, and inconvenience;
- c. Interest as allowed by law;
- d. Costs of this action; and
- e. Any other relief the Court finds just and proper.

ABDIQANI GELLE, Plaintiff

By:



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