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IN THE CIRCUIT COURT OF THE
EIGHTH JUDICIAL CIRCUIT
IN AND FOR ALACHUA COUNTY,
STATE OF FLORIDA.

CASE NO.: 0109 CA 6148
DIVISION: J

SHARON C. ALTHOUSE

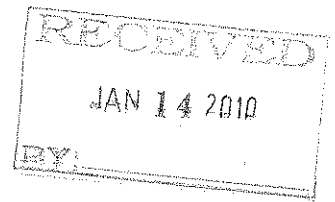
Plaintiff,

vs

CITY OF GAINESVILLE and
IRA W. MCGHIN

Defendants.

A True Copy
SADIE DARNELL, SHERIFF
ALACHUA COUNTY, FLORIDA
Served at 6:30 on the 10 Day
of JAN 2010
BY [Signature]
AS DEPUTY SHERIFF



ALIAS SUMMONS

THE STATE OF FLORIDA:
TO EACH SHERIFF OF THE STATE:

YOU ARE COMMANDED to serve this Summons and a copy of the Complaint in
this cause upon the Defendant:

City of Gainesville
c/o Pegeen Hanrahan
City Mayor
200 East University Avenue
Gainesville, Florida 32601

Each defendant is hereby required to serve written defenses to said Complaint of Petition to
Plaintiff's attorney, whose name and address is:

THOMAS J. FARKASH, ESQUIRE
FINE, FARKASH & PARLAPIANO, P.A.
622 Northeast First Street
Gainesville, Florida 32601
Phone: (325) 376-6046
Florida Bar Number: 216631

within ³⁰20 days after service of this summons upon that defendant, exclusive of the day of service,
and to file the original of said written defenses with clerk of said Court either before service on
Plaintiff's attorney or immediately thereafter. If a defendant fails to do so, a default will be entered
against the defendant for the relief demanded in the Complaint or Petition.

IN THE CIRCUIT COURT OF THE
EIGHTH JUDICIAL CIRCUIT
IN AND FOR ALACHUA COUNTY,
STATE OF FLORIDA.

CASE NO.: 01-09-CA-6148
DIVISION: J

SHARON C. ALTHOUSE

Plaintiff,

vs

CITY OF GAINESVILLE and
IRA W. MCGHIN

Defendants.

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CIRCUIT COURT
ALACHUA COUNTY
FLORIDA

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COMPLAINT

COMES NOW the Plaintiff, SHARON C. ALTHOUSE, and sues the Defendants, CITY OF GAINESVILLE and IRA W. MCGHIN, and alleges:

1. This is an action for damages that exceed Fifteen Thousand Dollars (\$15,000.00).
2. The Plaintiff, SHARON C. ALTHOUSE, has complied with Florida Statue §768.28(6)(a) by sending a letter to the office of the General Counsel, which was dated January 30, 2009, giving notice of Plaintiff's intent to file suit against the City of Gainesville for the accident which arose December 31, 2008. A copy of the Plaintiff's January 30, 2009 letter and a copy of the certified receipts are attached hereto as Exhibit "A".
3. The six-month waiting period required by statute has expired and all precedent to the filing of this action has been met by Plaintiff.
4. On or about December 31, 2008, and at all times relevant to these proceedings, Plaintiff, SHARON C. ALTHOUSE, was and continues to be a resident of Alachua County, State of Florida.
5. On or about December 31, 2008, Defendant, CITY OF GAINESVILLE, was a Municipal Corporation.

7-4-20

6. On or about December 31, 2008, and at all times relevant to these proceedings, Defendant, IRA W. MCGHIN, was and continues to be a resident of Gainesville, Alachua County, Florida.

COUNT I -Negligence

7. On or about December 31, 2008 an employee of the Defendant, CITY OF GAINESVILLE, named Ira W. McGhin maintained and operated a vehicle owned by the Defendant, CITY OF GAINESVILLE, which was involved in an accident on US 441 at or near the intersection of US 441 and County Road 232. At the same time, Ira W. McGhin was acting within the course and scope of his employment with the Defendant, CITY OF GAINESVILLE.

8. At that time and place the Defendant's employee negligently operated or maintained the motor vehicle so that it collided with the vehicle operated by Plaintiff, SHARON C. ALTHOUSE.

9. As a result of the negligence of the Defendant, CITY OF GAINESVILLE, Plaintiff, SHARON C. ALTHOUSE, suffered bodily injury and resulting pain and suffering, disability, disfigurement, mental anguish, loss of the capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment, loss of earnings, loss of ability to earn money, and an aggravation of a previously existing condition. The losses are either permanent or continuing in nature and Plaintiff, SHARON C. ALTHOUSE, will suffer the losses in the future.

WHEREFORE, Plaintiff, SHARON C. ALTHOUSE, requests judgment for damages against Defendant, CITY OF GAINESVILLE, and further demands a trial by jury as to all issues so triable.

COUNT II – Alternatively

10. On or about December 31, 2008, Defendant, IRA W. MCGHIN, operated a vehicle owned by the City of Gainesville on US 441 at or near the intersection of US 441 and County Road 232 in Gainesville, Alachua County, Florida.

11. On or about December 31, 2008, Defendant, IRA W. MCGHIN, negligently operated or maintained the motor vehicle so that it collided with a vehicle occupied by Plaintiff, SHARON C. ALTHOUSE.

12. As a result, Plaintiff, SHARON C. ALTHOUSE, suffered bodily injury and resulting pain and suffering, disability, mental anguish, loss of the capacity for the enjoyment of life, expense of medical and nursing care and treatment, loss of the ability to earn money and an aggravation of a previously existing condition. These losses are either permanent or continuing in nature and Plaintiff, SHARON C. ALTHOUSE, will suffer the losses in the future.


WHEREFORE, Plaintiff, SHARON C. ALTHOUSE, requests judgment for damages against Defendant, IRA W. MCGHIN, and further demands a trial by jury as to all issues so triable.

Dated this 19th day of November, 2009.

Respectfully submitted,

FINE, FARKASH & PARLAPIANO, P.A.
622 Northeast First Street
Gainesville, Florida 32601
(352) 376-6046

BY:


THOMAS J. FARKASH, ESQUIRE
Attorney for Plaintiffs
Florida Bar Number: 216631