

IN THE CIRCUIT COURT OF THE 11<sup>TH</sup>  
JUDICIAL CIRCUIT IN AND FOR MIAMI-  
DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

CASE NO.:

MONICA HARRIS BROOM,

Plaintiff,

vs.

C HUGH TRUCKING, INC., a  
Florida Corporation for profit, and  
RAMGANESH SOOKDEO,

Defendants.

\_\_\_\_\_ /

**COMPLAINT**

Plaintiff, by and through undersigned counsel, hereby sues the defendants, C HUGH TRUCKING, INC., a Florida corporation for profit and RAMGANESH SOOKDEO for damages and states as follows:

1. This is an action for damages in excess of \$15,000.00 exclusive of costs and interest and otherwise within the jurisdiction of this Court.
2. At all times material, Plaintiff, MONICA HARRIS BROOM, was and is a resident of Miami-Dade County, State of Florida, and otherwise *sui juris*.
3. At all times material, C HUGH TRUCKING, INC., is a Florida corporation authorized to do and doing business as a trucking company which owned and/or maintained a 1990, Volvo GM heavy dump truck bearing Florida tag number N4057I and vehicle identification number 4V1JDBMD7LR804492.

4. At all times material, RAMGANESH SOOKDEO, was and is a resident of the State of Florida employed by C HUGH TRUCKING, INC. as a driver and operated the subject truck while acting within the course and scope of his employment and/or agency.

5. On or about February 16, 2006 at approximately 11:02 a.m., at the intersection of Northeast 163<sup>rd</sup> Street and Biscayne Boulevard in Miami-Dade County, State of Florida the defendant, RAMGANESH SOOKDEO, was operating the subject vehicle with the consent of and within the course scope of his employment with C HUGH TRUCKING, INC.

6. At said location, date and time RAMGANESH SOOKDEO operated the subject truck in a negligent and careless manner which caused it to collide with the vehicle driven by the Plaintiff, MONICA HARRIS BROOM..

7 Defendant, C HUGH TRUCKING, INC., is vicariously liable to the Plaintiff as a result of the negligence of its employee and/or agent RAMGANESH SOOKDEO and is additionally liable to the Plaintiff as the owner of the subject truck pursuant to the doctrine of dangerous instrumentality.

8. Defendant, C HUGH TRUCKING, INC., breached its duty to the Plaintiff MONICA HARRIS BROOM and was negligent in one or more of the following ways, but not limited thereto:

- a. negligently hiring and retaining the driver of the subject vehicle;
- b. failing to conduct an adequate investigation of the driver=s driving history and restrictions;
- c. failing to properly maintain the subject vehicle in a safe condition;

- d. failing to conduct proper and timely inspections and repair of the subject truck;
  - e. failing to properly instruct, train and supervise the driver of the subject truck;
  - f. failing to adopt and enforce adequate policies and procedures with regards to the use and condition of the subject vehicles, the working conditions and the number of hours worked by its drivers, including the subject driver of the truck.
9. As a direct and proximate cause of the above mentioned joint and severable negligence and carelessness of the defendants, RAMGANESH SOOKDEO and C HUGH TRUCKING, INC., Plaintiff was injured in and about her head, body and extremities, suffered a closed head injury and cervical disc injury, suffered pain therefrom, suffered physical handicap, mental anguish, the loss of capacity for the enjoyment of life, the aggravation of preexisting conditions, inconvenience, the loss of income, the loss of future loss earning capacity, incurred medical expenses in the treatment of her injuries. These injuries are permanent and continuing in nature. Plaintiff will suffer these losses and impairments into the future.

WHEREFORE, Plaintiff, MONICA HARRIS BROOM, demands judgment against the Defendants, C HUGH TRUCKING, INC. and RAMGANESH SOOKDEO for compensatory damages in excess of the minimal jurisdictional limits of this Court, pre-judgment and post-judgment interest as allowed by law, costs of bring this action and demands trial by jury of all issues so triable.

DATED this \_\_\_\_\_ day of April, 2006.

Respectfully submitted,

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By: \_\_\_\_\_

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