IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF VIRGINIA

DIVISION

\*

Plaintiff \*

\*

v \* Case No.

\*

\*

\*

Defendant \*

COMPLAINT

(Assault and Battery)

COMES NOW the plaintiff, by counsel, and in support of this Complaint states as follows:

1. The plaintiff is a citizen and resident in the State of and resides at the address listed above in the caption of this matter.

2. The individual defendant is a citizen and resident of the State of and resides at the address listed above in the caption of this matter.

3. This Court has subject matter jurisdiction over this matter pursuant to 28 USC 1332(a) due to the diversity of citizenship of the parties and because the amount in controversy exceeds $50,000.00 exclusive of interest and costs.

4. Venue is appropriate in this Federal district under 28 USC 1391 due to the fact that the incident in question occurred in this district.

5. This Court has personal jurisdiction over the defendant pursuant to Virginia Code 8.01-328.1 due to the fact that the defendant

6. On or about the day of , 199 , while the plaintiff was lawfully at , the defendant, without just cause or provocation, committed an assault and battery upon the plaintiff by striking him several times about the head and shoulders with his fists.

7. As a proximate result of the defendant's attack upon the plaintiff, the plaintiff suffered certain injuries and damages including but not limited to medical and hospital expenses incurred, loss of use of the affected body parts, loss of income and pain and suffering, some or all of which continue up to the present time and may be continuing or permanent in nature.

WHEREFORE, these premises considered, the plaintiff requests judgment against the defendant in the amount of $ in compensatory damages and $ in punitive damages, plus an award of costs and interest.

**JURY DEMAND**

Plaintiff requests trial by jury as to all issues.

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*Counsel for*

**Interrogatories and Request for Documents are served along with this Complaint**