V I R G I N I A

IN THE CIRCUIT COURT OF

\*

Plaintiff \*

\*

v. \* Case No.

\*

\*

\*

Defendant \*

COMPLAINT

(Negligence & Breach of Contract - Premises Liability)

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

1. The plaintiff resides at the address listed in the caption of this matter.

2. The defendant is the owner of the premises at (hereafter referred to as the premises).

3. On , 199 , the plaintiff was an invitee at the premises when the plaintiff suffered certain injuries and damages which were proximately caused by the actions/omissions of the defendant.

COUNT I

(Negligence)

4. Paragraphs 1 through 3 above are incorporated herein by reference.

5. The defendant was negligent in that

and for such other reasons as may be adduced during the discovery process or at trial.

6. The injuries and damages caused by such actions/

omissions of the defendant include, but are not limited to, medical and hospital expenses incurred, loss of use of 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.

COUNT II

(Breach of Contract)

7. Paragraphs 1 through 6 above are incorporated by reference.

8. The plaintiff at the time of the accident referenced above was an employee/invitee of a tenant (hereafter the tenant) in the premises. Under the terms of the lease between the defendant and the tenant the defendant was obliged to provide premises that were fit and habitable and reasonably safe for use by tenants, their employees and invitees. The plaintiff is an intended third party beneficiary of that lease. The defendant has breached the lease for the reasons stated in paragraph 5 above.

WHEREFORE, these premises considered, the plaintiff requests judgment against the defendant in the amount of $ , plus an award of costs and interest and such other relief as may be appropriate.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Brien A. Roche, Esq., VSB No. 16165

Johnson & Roche

8355A Greensboro Drive

McLean, Virginia 22102

*Tel.:* (703) 821-3740

*Fax:* (703) 790-9462

[brienroche@aol.com](mailto:brienroche@aol.com)

*Counsel for*

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