V I R G I N I A

 IN THE CIRCUIT COURT OF

 \*

Plaintiff \*

 \*

v. \* Case No.

 \*

 \*

 \*

Defendant \*

 COMPLAINT

 (Product Liability)

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

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

2. The defendant is a corporation created under the laws of the state of , with its principal place of business in .

3. The defendant is the manufacturer of

4. The incident in question in this lawsuit occurred on the day of , 199 .

5. On the date and time of the incident the plaintiff was

6. The defendant did deviate from the standard of care to which it is held in that:

a)

b)

 COUNT I - Negligence

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

8. For the reasons stated in paragraph 6 above, the defendant did deviate from the standard of ordinary care to which it is held.

9. With knowledge of such, the defendant did place this product into the stream of commerce.

10. The actions/omissions of the defendant referenced above were a proximate cause of the incident in question, which caused certain injuries and damages to the plaintiff, including but not limited to medical and hospital expenses incurred, loss of income, loss of use of the affected body parts, 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 Implied Warranty

11. Paragraphs 1 through 6 and paragraphs 9 and 10 above are incorporated herein by reference.

12. The defendant did breach its implied warranty of merchantability for the reasons stated in paragraph 6 above.

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

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