V I R G I N I A:

 IN THE CIRCUIT COURT OF

 \*

Administrator of the Estate of \*

, Decedent \*

 \*

Plaintiff \*

 \*

v \* Case No.

 \*

 \*

 \*

Defendant \*

 COMPLAINT

 (Wrongful Death and Survival)

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

1. The plaintiff is the administrator of the estate of the decedent referenced above, having qualified as such on , 199 in the Circuit Court of the County of .

2. The defendant resides at the address listed in the caption of this matter.

3. On , 199 , a vehicle operated/occupied by the decedent was involved in a motor vehicle collision with a vehicle operated by the defendant at .

4. The collision was proximately caused by the negligence of the defendant.

5. The defendant was negligent in that and for such other reasons as may be adduced during discovery or at trial.

6. The collision proximately caused certain property damage to the vehicle owned by the decedent.

7. As a proximate result of the collision the decedent expired on , 199 .

8. The decedent is survived by certain beneficiaries who have sustained financial and pecuniary loss as a result of the death of the decedent and have suffered mental anguish and emotional loss and such other damages as are recoverable under the Virginia Wrongful Death Act as set forth in Virginia Code Section 8.01-50 et. seq. The plaintiff herein claims as damages against the defendant the following:

A. Medical and hospital expenses incident to the injuries that caused the decedent's death.

B. Funeral and burial expenses;

C. Any pecuniary and financial losses suffered by the beneficiaries.

D. Mental anguish, solace, loss of society, compan­ionship, comfort, guidance, timely offices and advice of the decedent suffered by the beneficiaries.

E. Compensation for the reasonably expected loss of income of the decedent.

F. The reasonable value of the loss of services, protection, care and assistance provided by the decedent.

G. Pain and suffering of the decedent as a result of any non-fatal injuries as allowed under Virginia Code Section 8.01-25.

H. Such other damages allowable by law.

WHEREFORE these premises considered plaintiff requests judgment against the defendant in the amount of $ plus 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

*Counsel for*

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