

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

JAMES SCHURR,)
)
 Plaintiff,)
)
 Vs.) Case No.
)
 HOMER ASKOUNIS,)
)
 Defendants.)

2015 OCT 29 PM 11:19
Clerk of the Court
Circuit Court of Cook County
111 N. Dearborn St.
Chicago, IL 60610

COMPLAINT AT LAW

NOW COMES, the Plaintiff, James Schurr, (“Schurr” or “Plaintiff”), by and through his attorneys, The Law Offices of Eugene K. Hollander, complaining against the Defendant, Homer Askounis, (“Askounis”), and in support thereof, Plaintiff alleges as follows:

Count I - Negligence

1. Plaintiff, James Schurr, is a citizen of the State of Illinois residing at all relevant times at 1323 Appletree Lane, Libertyville, Illinois.
2. Defendant, Askounis, is a citizen of the State of Illinois residing at all relevant times at 2460 W. Estes Avenue, Chicago, Cook County, Illinois.
3. The venue, pursuant to 735 ILCS 5/2-101, is proper in this Court in that the Defendant resides in Cook County, Illinois.
4. On July 18, 2015, the Plaintiff driving northbound on Skokie Road, at or near the intersection of Central Street in Wilmette, Cook County, Illinois.
5. On said date, Defendant Askounis was driving southbound on Skokie Road, at or near the intersection of Central Street in Wilmette, Cook County, Illinois.

6. It was the duty of the Defendant Askounis to operate said motor vehicle with due care and caution, in accordance with applicable statutes and ordinances, in effect at the said time and place.

7. At the time and place aforesaid, the Defendant Askounis was guilty of one or more of the following careless and negligent acts or omissions:

- a) Carelessly and negligently failed to use proper lane usage;
- b) Carelessly and negligently failed to maintain proper control over said vehicle with due caution in violation of §13-3.3 of the Wilmette Village Code;
- c) Carelessly and negligently failed to maintain a proper lookout;
- d) Carelessly, negligently and/or recklessly drove said vehicle with a willful and wanton disregard of the safety of others, including the Plaintiff, in violation of 625 ILCS 5/11-503(a)
- e) Carelessly and negligently operated said motor vehicle at an excessive and dangerous rate of speed in light of the traffic and weather conditions then and there present in violation of §13-3.4.1 and §13-3.4.2 of the Wilmette Village Code;
- f) Carelessly and negligently failed to exercise due care to avoid colliding with the Plaintiff in violation of 625 ILCS 5/11-1003.1;
- g) Carelessly and negligently failed to sound a horn or give timely warning of the impending collision; and/or
- h) Otherwise carelessly and negligently operated his vehicle in a dangerous and unreasonable manner.

8. As a direct and proximate result of one or more of the aforesaid careless, negligent or reckless acts of omissions, the automobile being driven by the Defendant Askounis violently collided with the Plaintiff.

9. As a direct and proximate result of the aforesaid, the Plaintiff suffered injuries of a personal and pecuniary nature, including but not limited to, lost wages, medical

expenses, damage to property, pain and suffering, and physical and emotional trauma, all of which are permanent.

WHEREFORE, the Plaintiff, James Schurr, asks judgment against the Defendant, Homer Askounis, in a sum in excess of Fifty Thousand (\$50,000.00) Dollars, which will fairly compensate the Plaintiff for the severe injuries he sustained, and all costs of this action.

Count II - Willful and Wanton Conduct

1-6. Plaintiff reincorporates and realleges paragraphs 1 through 6 of Count I as though more fully set forth herein in this Count II.

7. At the time and place aforesaid, the Defendant Askounis was guilty of one or more of the following willful and wanton acts of misconduct, which exhibited a reckless disregard for the safety of the Plaintiff:

- a) Willfully and recklessly failed to use proper lane usage;
- b) Willfully and recklessly failed to maintain proper control over said vehicle with due caution in violation of §13-3.3 of the Wilmette Village Code;
- c) Willfully and recklessly failed to maintain a proper lookout;
- d) Willfully and recklessly drove said vehicle with a willful and wanton disregard of the safety of others, including the Plaintiff, in violation of 625 ILCS 5/11-503(a)
- e) Willfully and recklessly operated said motor vehicle at an excessive and dangerous rate of speed in light of the posted speed limit, and traffic and weather conditions then and there present in violation of §13-3.4.1 and §13-3.4.2 of the Wilmette Village Code;
- f) Willfully and recklessly failed to exercise due care to avoid colliding with the Plaintiff in violation of 625 ILCS 5/11-1003.1;
- g) Willfully and recklessly failed to sound a horn or give timely warning of the impending collision; and/or

h) Otherwise willfully and recklessly operated his vehicle in a dangerous and unreasonable manner.


10. As a direct and proximate result of one or more of the aforesaid willful and reckless acts or omissions, the automobile being driven by the Defendant Askounis violently collided with the Plaintiff.

11. As a direct and proximate result of the aforesaid, the Plaintiff suffered injuries of a personal and pecuniary nature, including but not limited to, lost wages, medical expenses, damage to property, pain and suffering, and physical and emotional trauma, all of which are permanent.

12. On September 9, 2015, Defendant Askounis pled guilty and was found guilty of the offense of improper lane usage in the Circuit Court of Cook County.

WHEREFORE, the Plaintiff, James Schurr, asks judgment against the Defendant, Homer Askounis, in a sum in excess of Fifty Thousand (\$50,000.00) Dollars, as and for compensatory damages, which will fairly compensate the Plaintiff for the severe injuries he sustained, punitive damages, and all costs of this action.

**Plaintiff,
JAMES SCHURR,**

By: 
One of his attorneys

Eugene K. Hollander
Paul W. Ryan
Jonathan L. Hoeven
The Law Offices of Eugene K. Hollander
230 W. Monroe
Suite 1900
Chicago, IL 60606
(312) 425-9100
#18264

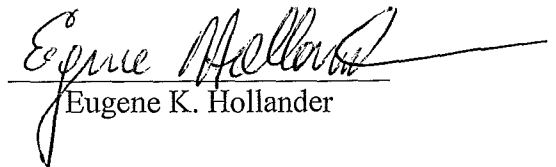
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AFFIDAVIT

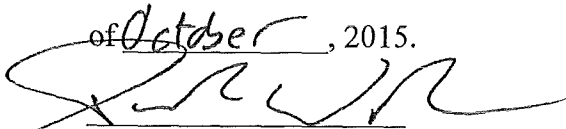
I, Eugene K. Hollander, being first duly sworn on oath, state:

1. I am an attorney and owner of the Law Offices of Eugene K. Hollander, 230 W. Monroe St., Suite 1900, Chicago, IL 60606, and I am in charge of preparation and trial of the above-entitled manner.
2. Pursuant to Supreme Court Rule 222(b), the total money damages to be sought by Plaintiff exceeds FIFTY THOUSAND DOLLARS (\$50,000).


Eugene K. Hollander

Subscribed and sworn to
me before this 29th day

of October, 2015.


Notary Public

