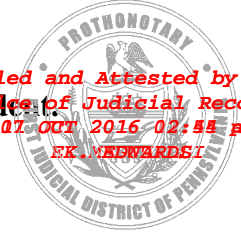


# **EXHIBIT “A”**

**WILSON AND JOHNSON**  
BY: VAL PLEET WILSON, ESQUIRE  
I.D. NO. 25787  
ONE SOUTH BROAD - 18TH FLOOR  
ONE SOUTH BROAD STREET  
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**2V-Motor Vehicle Accident**



Filed and Attested by the  
Office of Judicial Records  
07 OCT 2016 02:44 pm  
EK. EDWARDS

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<b>MARVIN CANADY</b>	:	<b>Court of Common Pleas</b>
5403 North Front Street	:	<b>Philadelphia County</b>
Philadelphia, PA 19120	:	
<b>AND</b>	:	
<b>BROOKE DIGGS</b>	:	
50 Highbridge Lane	:	
West Deptford, NJ 08086	:	
<b>v.</b>	:	<b>Trial Division</b>
	:	<b>April Term 2016</b>
<b>KEVIN GREEN</b>	:	<b>Civil Action</b>
2754 North 45 <sup>th</sup> Street	:	
Philadelphia, PA 19131	:	<b>No. 0433</b>
<b>And</b>	:	
<b>DELTA FAMILY SERVICES AND FOSTER CARE</b>	:	
2210 Mt. Carmel Avenue	:	
Glenside, PA 19038	:	

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**AMENDED COMPLAINT**  
**NOTICE TO DEFEND**

You have been sued in court. If you wish to defend against the claims set forth in the following pages. You must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

Le han demandado a usted en is corte. Si usted quiere fendarse de estas demandas expaestas en las paginas siguientes, usted tiene veinte (20) dias de plazao al partir de la fecha de is demanda y la notificacion. Hace falts asentar una comparencia escrita n persona a con un abogado y entregar a la cortn forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso a notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades us otros derechos importantes para usted.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER [OR CANNOT AFFORD ONE], GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW [TO FIND OUT WHERE YOU CAN GET LEGAL HELP]. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CAN NOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES

USTED DEBE LLEVAR ESTE DOCUMENTO A SU ABOGADO, INMEDIATAMENTE. SI USTED NO TIEN ABOGADO (O NO TIENE DINERO SUFICIENTE PARA PAGAR A UN ABOGADO), VAYA EN PERSONA O LLAME POR TELEFONO LA OFICINA NOMBRADA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL. ESTA OFICINA PUEDE INFORMACION PROPORCIONARLE LA INFORMACION SOBRE CONTRATAR A UN ABOGADO.

THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A  
REDUCED FEE OR NO FEE.

PHILADELPHIA BAR ASSOCIATION  
LAWYER REFERRAL AND INFORMATION SERVICE

ONE READING CENTER  
PHILADELPHIA, PENNSYLVANIA 19107  
(215) 238-1701

SI USTED NO TIENE DINERO SUFICIENTE PARA PAGAR A UN  
ABOGADO, ESTA OFICINA PUEDE PROPORCIONARLE  
INFORMACION SOBRE AGENCIAS QUE OFRECEN SERVICIOS  
LEGALES A PERSONAS QUE CUMPLEN LOS REQUISITOS PARA  
UN HONORARIO REDUCIDO O NINGUN HONORARIO.

ASISTENCIA LEGAL  
ASOCIACION DE LICENCIADOS DE FILADELFA  
SERVICIO DE REFERENCIAL LEGAL

One Reading Center  
Filadelphia , Pennsylvania 19107  
(215) 238-1701

**WILSON AND JOHNSON**

BY: VAL PLEET WILSON, ESQUIRE

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**2V-Motor Vehicle Accident.**

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**MARVIN CANADY**

5403 North Front Street

Philadelphia, PA 19120

**AND**

**BROOKE DIGGS**

50 Highbridge Lane

West Deptford, NJ 08086

**v.**

**: Court of Common Pleas  
Philadelphia County**

**:**

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**:**

**:**

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**:**

**Trial Division**

**April Term 2016**

**Civil Action**

**No. 0433**

**KEVIN GREEN**

2754 North 45<sup>th</sup> Street

Philadelphia, PA 19131

**And**

**DELTA FAMILY SERVICES AND FOSTER CARE**

2210 Mt. Carmel Avenue

Glenside, PA 19038

---

**COMPLAINT**

1. Plaintiff, MARVIN CANADY, is an adult individual residing at the above captioned address.

2. Plaintiff, BROOKE DIGGS, is an adult individual residing at the above captioned address.

3. Defendant, KEVIN GREEN, is an adult individual residing at the above captioned address.

4. Defendant, DELTA FAMILY SERVICES AND FOSTER CARE, is a business and or company with offices located at the above captioned address.

5. Defendant, KEVIN GREEN, was, at all relevant and material times, the workman, servant, agent and/or employee of Defendant, DELTA FAMILY SERVICES AND FOSTER CARE, and was then and there acting in the course and scope of such work, servitude, agency or employment.

6. Defendant, KEVIN GREEN, was, at all relevant and material times, a permissive user of the vehicle he was operating at the time of the subject motor vehicle accident.

7. Defendant, KEVIN GREEN, was the driver and or owner of the car involved in this accident.

8. Defendant, DELTA FAMILY SERVICES AND FOSTER CARE, was the owner of the car involved in this accident.

9. When used herein, unless otherwise set forth, the term Plaintiff shall include all Plaintiffs and the term Defendant shall include all Defendants. The term Defendant shall include all and any agents, servants, employees or workers of the Defendant.

10. Plaintiff reserves the right to amend the complaint to reflect the correct legal identity and/or address of any parties referred to herein.

11. All material facts and occurrences took place on October 28, 2015 at or near 5403 North Front Street in Philadelphia, Pennsylvania.

12. On or about October 28, 2015, at or near the above described location, Plaintiffs, MARVIN CANADY and BROOKE DIGGS, were sitting in a parked vehicle when a vehicle owned by Defendants, KEVIN GREEN and or DELTA FAMILY SERVICES AND FOSTER CARE, and operated by Defendant, KEVIN GREEN, suddenly and forcefully struck the Plaintiff vehicle, with the result that the Plaintiffs suffered at least the severe and serious injuries hereinafter set forth.

13. On or about October 28, 2015, at or near 5403 North Front Street in Philadelphia, Pennsylvania, Plaintiffs were occupants of a stationary vehicle.

14. On or about October 28, 2015, at or near 5403 North Front Street in Philadelphia,

Pennsylvania, a vehicle was being operated by Defendant KEVIN GREEN who was an employee of Defendant DELTA FAMILY SERVICES AND FOSTER CARE. (Hereinafter the Defendant vehicle)

15. On or about October 28, 2015, at or near 5403 North Front Street in Philadelphia, Pennsylvania, there was an impact between the Defendant vehicle and the vehicle occupied by Plaintiffs.

16. Defendant KEVIN GREEN was negligent in the operation of the Defendant vehicle.

17. Defendant DELTA FAMILY SERVICES AND FOSTER CARE is vicariously liable for the negligence of the driver of the Defendant vehicle.

18. The negligence of the Defendants includes:

- A. Operating a vehicle at a high, dangerous speed under the circumstances;
- B. Failing to have the vehicle under proper control;
- C. In driving into another vehicle;
- D. In that the Driver were inattentive and failed to maintain a sharp lookout of the road and the surrounding traffic conditions;
- E. In being inattentive and colliding with another motor vehicle;
- F. In failing to properly inspect vehicle for any mechanical defects;
- G. In violating the various statutes and municipal ordinances pertaining to the operation to the operation of motor vehicles on public thoroughfares under the circumstances;
- H. In driving and or operating the vehicles in a negligent and/or careless manner under the circumstances;

- I. In proceeding in the direction of another vehicle when Defendants knew or in the exercise of reasonable care should have known that doing so would result in a collision with another vehicle and would foreseeably result in the severe and serious injuries incurred by the Plaintiffs;
- J. In failing to maintain proper lookout for the presence of other motor vehicles on the road;
- K. In operating a vehicle in a manner not consistent with the traffic and/or road and weather conditions prevailing at the time;
- L. In not yielding the right of way;
- M. In violating the rules of the road and or in driving negligently;
- N. In failing to maintain a safe and adequate distance between the Defendant vehicle and the Plaintiff's vehicle;
- O. In failing to stop for traffic on the roadway;
- P. In failing to maintain an assured, clear distance between the Defendant's vehicle and the Plaintiff vehicle;
- Q. In operating a motor vehicle at an unsafe speed under the circumstances;
- R. In violating **75 Pa.C.S. Section 3321 - Vehicle approaching or entering intersection;**
- S. In violating **75 Pa.C.S. Section 3111 - Obedience to traffic control devices;**
- T. In violating **75 Pa.C.S. Section 3112 - Traffic Control Signals;**
- U. In violating **75 Pa.C.S. Section 3361 - Driving Vehicle at safe speed;**
- V. In violating **75 Pa.C.S. Section 3714 - Careless Driving;**

19. Defendant DELTA FAMILY SERVICES AND FOSTER CARE is vicariously liable for the negligence of their employee, workman, and or agent KEVIN GREEN.

20. The violations of the motor code by defendants as set forth above is negligence per se.

21. The negligence of the defendants and or the negligence of their employees and or agents and or the joint and/or several negligence of the above defendants and or the negligence of their employees and or agents was a factual cause of the accident and of the injuries and damages sustained by Plaintiffs. In the alternative, the negligence of the defendants and or the negligence of their employees and or agents and or the joint and/or several negligence of the defendants and or the negligence of their employees and or agents was a substantial factor in causing the accident and injuries and damages sustained by Plaintiffs.

22. The accident was factually caused by the joint and/or several negligence and/or recklessness of the Defendants and in no way was caused by the Plaintiffs.

23. The negligence of the Defendants was a factual cause of the following damages to Plaintiff MARVIN CANADY:

- A. Injuries, dysfunctions, impairments, serious impairments, permanent impairment of a body function. fractured fibula, pain and trauma to various parts of the body and psyche trauma, aches and pains, pain and suffering and or other injuries
- B. Past Medical Expenses
- C. Future Medical Expenses
- D. Past Lost Earnings and Lost Earnings Capacity
- E. Future Loss of Earnings and Lost Earning Capacity
- F. Past Pain and Suffering
- G. Future Pain and Suffering
- H. Past Embarrassment and Humiliation



- I. Future Embarrassment and Humiliation
- J. Past Loss of Ability to Enjoy the Pleasures of Life
- K. Future Loss of Ability to Enjoy the Pleasures of Life
- L. Disfigurement
- M. Loss of Consortium
- N. Emotional Distress
- O. Property Damage
- P. Incidental Costs

24. The negligence of the Defendants was a factual cause of the following damages to Plaintiff BROOKE DIGGS:

- A. Injuries, dysfunctions, impairments, serious impairments, permanent impairment of a body function. fractured fibula, pain and trauma to various parts of the body and psyche trauma, aches and pains, pain and suffering and or other injuries
- B. Past Medical Expenses
- C. Future Medical Expenses
- D. Past Lost Earnings and Lost Earnings Capacity
- E. Future Loss of Earnings and Lost Earning Capacity
- F. Past Pain and Suffering
- G. Future Pain and Suffering
- H. Past Embarrassment and Humiliation
- I. Future Embarrassment and Humiliation
- J. Past Loss of Ability to Enjoy the Pleasures of Life
- K. Future Loss of Ability to Enjoy the Pleasures of Life

- L. Disfigurement
- M. Loss of Consortium
- N. Emotional Distress
- O. Property Damage
- P. Incidental Costs

**COUNT ONE**

**PLAINTIFF MARVIN CANADY V. DEFENDANT KEVIN GREEN**

25. Paragraphs 1 through 24 are incorporated by reference herein.

**WHEREFORE**, Plaintiff bring this action against Defendant to recover damages in a sum in excess of fifty thousand dollars (\$50,000), plus interest, costs, and delay damages under Rule 238, Pennsylvania Rules of Civil Procedure and punitive damages.

**COUNT TWO**

**PLAINTIFF MARVIN CANADY V. DEFENDANT DELTA FAMILY SERVICES AND  
FOSTER CARE**

26. Paragraphs 1 through 25 are incorporated by reference herein.

**WHEREFORE**, Plaintiff bring this action against Defendant to recover damages in a sum in excess of fifty thousand dollars (\$50,000), plus interest, costs, and delay damages under Rule 238, Pennsylvania Rules of Civil Procedure and punitive damages.

**COUNT THREE**

**PLAINTIFF BROOKE DIGGS V. DEFENDANT KEVIN GREEN**

27. Paragraphs 1 through 26 are incorporated by reference herein.

**WHEREFORE**, Plaintiff bring this action against Defendant to recover damages in a

sum in excess of fifty thousand dollars (\$50,000), plus interest, costs, and delay damages under Rule 238, Pennsylvania Rules of Civil Procedure and punitive damages.

**COUNT FOUR**  
**PLAINTIFF BROOKE DIGGS V. DEFENDANT DELTA FAMILY SERVICES AND**  
**FOSTER CARE**

28. Paragraphs 1 through 27 are incorporated by reference herein.

**WHEREFORE**, Plaintiff bring this action against Defendant to recover damages in a sum in excess of fifty thousand dollars (\$50,000), plus interest, costs, and delay damages under Rule 238, Pennsylvania Rules of Civil Procedure and punitive damages.

Respectfully Submitted,

/s/ Val Pleet Wilson

Val Pleet Wilson, Esquire  
Attorney for Plaintiff

VERIFICATION

I, Miriam Casady, hereby state:

1. I am a Plaintiff in this action;
2. I verify that the statements made in the foregoing are true and correct to the best of my knowledge, information and belief; and
3. I understand that the statements in said PLEADING are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Miriam Casady

VERIFICATION

I, Brooks Pizzo, hereby state:

1. I am a Plaintiff in this action;
2. I verify that the statements made in the foregoing are true and correct to the best of my knowledge, information and belief; and
3. I understand that the statements in said PLEADING are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Brooks Pizzo