

**IN THE CIRCUIT COURT OF LAKE COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION**

SHAKIRA COOK and MICHAEL)	
MCCLINTON,)	
)	
Plaintiffs,)	
)	
v.)	No. 2024LA00000833
)	
PACE SUBURBAN BUS SERVICE, a Division)	
of REGIONAL TRANSPORTATION)	
AUTHORITY, a Municipal Corporation,)	
DERRICK MURPHY, Individually and as Agent)	
of PACE SUBURBAN BUS SERVICE,)	
ROMELIO OLMEDA, and HUGO ESTRADA,)	
)	
Defendants.)	

COMPLAINT AT LAW

NOW COMES the Plaintiffs, SHAKIRA COOK and MICHAEL MCCLINTON, by and through their attorneys, MDR LAW LLC, and for their complaint against the Defendants, PACE SUBURBAN BUS SERVICE (hereinafter “PACE”), a Division of REGIONAL TRANSPORTATION AUTHORITY, a Municipal Corporation, DERRICK MURPHY, Individually and as Agent of PACE, ROMELIO OLMEDA, Individually and as Agent of HUGO ESTRADA, and HUGO ESTRADA, state as follows:

COUNT I

SHAKIRA COOK Against PACE SUBURBAN BUS SERVICE (PACE)

1. That on or about Wednesday, August 21, 2024, and prior thereto, the Defendant, PACE, was in business as a common carrier by bus and, as such common carrier, was possessed of, maintained, used, managed, and operated certain buses over a system of routes in the vicinity of Joppa Avenue, at or near its intersection with 22nd Street, in the City of Zion, County of Lake, and State of Illinois.

2. At said time and place, the Defendant, PACE, was a duly authorized common carrier in the State of Illinois, engaged in the business of transporting bus passengers.

3. That it then and there became and was the duty of the Defendant, PACE, as a common carrier, to exercise the highest degree of care for the safety of its passengers.

4. At said time and place, the Defendant, PACE, owned, operated, maintained, managed, and controlled a bus being operated by and through its agents, servants and employees, in the vicinity of Joppa Avenue, at or near its intersection with 22nd Street.

5. At said time and place, on PACE BUS ROUTE #571, Plaintiff, SHAKIRA COOK, was a fare-paying passenger on the aforementioned PACE bus and was lawfully and properly on said bus at or near the above-mentioned location.

6. That the Defendant, PACE, was then and there guilty of one or more of the following careless and negligent acts and/or omissions:

- a. Drove the aforementioned bus at a speed which was greater than reasonable and proper, in violation of 625 ILCS 5/11-601;
- b. Drove the aforementioned bus without brakes adequate to control its movements, and to stop and hold it, in violation of 625 ILCS 5/12-301;
- c. Failed to sound the horn or otherwise warn of impending danger of collision in violation of 625 ILCS 5/12-601;
- d. Failed to keep a proper lookout ahead and in the direction of travel so as to avoid collision;
- e. Failed to stop the aforementioned bus in time to avoid said collision, although Defendant saw, or should have seen, that it was impending in ample time and opportunity to avoid it;
- f. Failed to maintain the aforementioned bus in a safe and working order for use and operation on the roadway;
- g. Failed to operate the bus in a manner so as to avoid injuring the Plaintiff's person;

- h. Operated said bus in an erratic, reckless, careless, and/or negligent manner;
- i. Was otherwise careless and negligent.

7. As a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant, the vehicle operated by the Defendant, PACE, with Plaintiff, SHAKIRA COOK, as passenger, struck the vehicle operated by Defendant, ROMELIO OLMEDA.

8. That as a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant, PACE, the Plaintiff, SHAKIRA COOK, sustained severe and permanent injuries, both externally and internally, and was and will be hindered and prevented from attending to her usual duties and affairs and has lost and will in the future lose the value of that time. The Plaintiff also suffered great pain and anguish, both in mind and body, and will in the future continue to suffer. The Plaintiff further expended and became liable for, and will expend become liable to pay, large sums of money for medical care and services, endeavoring to become healed and cured of her injuries.

WHEREFORE, the Plaintiff, SHAKIRA COOK, demands judgment against the Defendant, PACE, in a dollar amount to satisfy the jurisdiction and limitations of this Court and such additional amounts as the jury and the Court shall deem proper, and additionally, costs of said suit.

COUNT II
SHAKIRA COOK Against DERRICK MURPHY

1. That on Wednesday, August 21, 2024 and prior thereto, the Defendant, DERRICK MURPHY, as agent, servant and/or employee of the Defendant, PACE, was in business as a common carrier by bus and, as such common carrier, was possessed of, maintained, used, managed

and operated certain buses over a system of routes in the vicinity of Joppa Avenue, at or near its intersection with 22nd Street, in the City of Zion, County of Lake, and State of Illinois.

2. That at the aforementioned time and place, the Defendant, DERRICK MURPHY, as agent, servant and/or employee of the Defendant, PACE, owed to his passengers and customers the highest degree of care for their safety, commensurate with that of a common carrier for hire.

3. That on August 21, 2024, Plaintiff, SHAKIRA COOK, was a fare-paying passenger on the aforementioned PACE BUS ROUTE #571 PACE bus and was lawfully and properly on said bus at or near the above-mentioned location, and being driven by the Defendant, DERRICK MURPHY, an agent, servant, and/or employee of the Defendant, PACE.

4. That on the aforesaid date, the Defendant, DERRICK MURPHY, was operating a bus in the capacity of agent, servant and/or employee of the Defendant, PACE, in the vicinity of Joppa Avenue, at or near its intersection with 22nd Street, in the City of Zion, County of Lake, and State of Illinois.

5. That at said time and place, the Defendant, DERRICK MURPHY, an agent, servant, and/or employee of Defendant, PACE, was then and there guilty of one or more of the following careless and negligent acts and/or omissions:

- a. Drove the aforementioned bus at a speed which was greater than reasonable and proper, in violation of 625 ILCS 5/11-601;
- b. Drove the aforementioned bus without brakes adequate to control its movements, and to stop and hold it, in violation of 625 ILCS 5/12-301;
- c. Failed to sound the horn or otherwise warn of impending danger of collision in violation of 625 ILCS 5/12-601;
- d. Failed to keep a proper lookout ahead and in the direction of travel so as to avoid collision;
- e. Failed to stop the aforementioned bus in time to avoid said collision, although Defendant saw, or should have seen, that it was impending in

ample time and opportunity to avoid it;

- f. Failed to maintain the aforementioned bus in a safe and working order for use and operation on the roadway;
- g. Failed to operate the bus in a manner so as to avoid injuring the Plaintiff's person;
- h. Operated said bus in an erratic, reckless, careless, and/or negligent manner;
- i. Was otherwise careless and negligent.

6. As a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant, the vehicle operated by the Defendant, DERRICK MURPHY, an agent, servant, and/or employee of Defendant, PACE, with Plaintiff, SHAKIRA COOK, as passenger, struck the vehicle operated by Defendant, ROMELIO OLMEDA.

7. That as a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant, DERRICK MURPHY, an agent, servant, and/or employee of Defendant, PACE, the Plaintiff, SHAKIRA COOK, sustained severe and permanent injuries, both externally and internally, and was and will be hindered and prevented from attending to her usual duties and affairs and has lost and will in the future lose the value of that time. The Plaintiff also suffered great pain and anguish, both in mind and body, and will in the future continue to suffer. The Plaintiff further expended and became liable for, and will expend become liable to pay, large sums of money for medical care and services, endeavoring to become healed and cured of her injuries.

WHEREFORE, the Plaintiff, SHAKIRA COOK, demands judgment against the Defendant, DERRICK MURPHY, an agent, servant, and/or employee of Defendant, PACE, in a dollar amount to satisfy the jurisdiction and limitations of this Court and such additional amounts as the jury and the Court shall deem proper, and additionally, costs of said suit.

COUNT III
SHAKIRA COOK Against ROMELIO OLMEDA

1. On the afternoon of Wednesday, August 21, 2024, the Plaintiff, SHAKIRA COOK, was a fare-paying passenger on a bus owned and operated by the Defendant, PACE, traveling northbound on Joppa Avenue at or near the intersection with 22nd Street in the City of Zion, County of Lake, and State of Illinois.

2. At said time and place, the Defendant, ROMELIO OLMEDA, was operating a motor vehicle owned by Defendant, HUGO ESTRADA in an eastbound direction on 22nd Street at or near its intersection with Joppa Avenue in the aforementioned City, County, and State.

3. At all times relevant herein, the Defendant, ROMELIO OLMEDA, was an agent, servant, and/or employee of HUGO ESTRADA, and acting within the course and scope of his agency relationship.

4. At all times relevant herein, there existed a stop sign on eastbound 22nd Street immediately preceding its intersection with Joppa Avenue in the aforementioned City, County, and State.

5. At all times relevant herein, there was not a stop sign or traffic signal on northbound Joppa Avenue at or near its intersection with 22nd Street in the aforementioned City, County, and State.

6. That at the aforementioned time and place, the bus owned and operated by PACE, on which the Plaintiff, SHAKIRA COOK, was a passenger, had the right-of-way at the intersection of Joppa Avenue and 22nd Street.

7. At all times relevant herein, it was the duty of the Defendant, ROMELIO OLMEDA, to exercise ordinary care in the operation, ownership, control, and maintenance of said vehicle, and in accordance with the statutes and common law of this state pertaining to the operation of a motor vehicle upon the public street, so as not to cause injury to the Plaintiff and others.

8. That at the aforementioned time and place, in dereliction of his duty, the Defendant, ROMELIO OLMEDA, committed one or more of the following careless negligent acts and/or omissions:

- a. Failed to stop as required when approaching an intersection controlled by a stop sign, in violation of 625 ILCS 5/11-204;
- b. Failed to obey the instructions of an official traffic control device, a stop-sign posted and governing course of travel, contrary to and in violation of 625 ILCS 5/11-305(a);
- c. Drove the vehicle operated by him at a speed which was greater than reasonable and proper in violation of 625 ILCS 5/11-601;
- d. Failed to sound the horn on said vehicle so as to give warning of its movement, in violation of 625 ILCS 5/11-601;
- e. Drove said vehicle into the path of oncoming traffic when it was not safe to do so, in violation of 625 ILCS 5/11-902;
- f. Failed to yield the intersection, in violation of 625 ILCS 5/11-904(a);
- g. Failed to keep a proper lookout as he drove his vehicle so as to avoid and prevent a collision;
- h. Failed to see and observe the bus operated by Defendant, PACE, on which Plaintiff, SHAKIRA COOK, was a passenger, when it could and should have been observed; and/or

- i. Was otherwise careless and negligent in the operation, maintenance, and control of his vehicle.

9. As a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant, the vehicle operated by the Defendant, ROMELIO OLMEDA, disregarded the stop sign at the east side of 22nd Street and struck the bus in which the Plaintiff, SHAKIRA COOK, was a passenger.

10. That as a direct and proximate result of the aforesaid careless and negligent acts and/or omissions of the Defendant, ROMELIO OLMEDA, the Plaintiff, SHAKIRA COOK, then and there sustained severe injuries, and, as a result, will be hindered and prevented from attending to her usual duties and affairs, and has lost, and will in the future lose, the value of that time as aforementioned. The Plaintiff also suffered great pain and anguish, both in mind and in body, and will continue to suffer in her future. The Plaintiff further expended and became liable for, and will continue to expend and become liable for, large sums of money for medical care and services endeavoring to become healed and cured of said injuries.

WHEREFORE, Plaintiff, SHAKIRA COOK, demands judgment against Defendant, ROMELIO OLMEDA, in a dollar amount to satisfy the jurisdictional limits of this Court, and such additional amounts as the jury and the court shall deem proper, and additionally, costs of said suit.

COUNT IV
SHAKIRA COOK Against HUGO ESTRADA

1. Plaintiff reincorporates paragraphs 1-6 of “Count III” and reincorporates them by reference as if fully set out herein.

7. At all times relevant herein, Defendant, ROMELIO OLMEDA, was acting as the agent, servant, employee, representative, and/or at the instruction of Defendant, HUGO ESTRADA.

8. At all times relevant herein, it was the duty of the Defendant, HUGO ESTRADA, by and through the acts and/or omissions of the Defendant, ROMELIO OLMEDA, to exercise ordinary care in the operation, ownership, control, and maintenance of the aforementioned motor vehicle, and in accordance with the statutes and common law of this state pertaining to the operation of a motor vehicle upon the public roadway, so as not to cause injury to the Plaintiff and others.

9. That at the aforementioned time and place, in dereliction of his duty, the Defendant, HUGO ESTRADA, by and through the acts and/or omissions of the Defendant, ROMELIO OLMEDA, committed one or more of the following careless negligent acts and/or omissions:

- a. Failed to stop as required when approaching an intersection controlled by a stop sign, in violation of 625 ILCS 5/11-204;
- b. Failed to obey the instructions of an official traffic control device, a stop-sign posted and governing course of travel, contrary to and in violation of 625 ILCS 5/11-305(a);
- c. Drove the vehicle operated by him at a speed which was greater than reasonable and proper in violation of 625 ILCS 5/11-601;
- d. Failed to sound the horn on said vehicle so as to give warning of its movement, in violation of 625 ILCS 5/11-601;
- e. Drove said vehicle into the path of oncoming traffic when it was not safe to do so, in violation of 625 ILCS 5/11-902;
- f. Failed to yield the intersection, in violation of 625 ILCS 5/11-904(a);
- g. Failed to keep a proper lookout as he drove his vehicle so as to avoid and prevent a collision;
- h. Failed to see and observe the bus operated by Defendant, PACE, on which Plaintiff, SHAKIRA COOK, was a passenger, when it could and should have been observed; and/or

- i. Was otherwise careless and negligent in the operation, maintenance, and control of his vehicle.

10. As a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant, the vehicle operated by the Defendant, ROMELIO OLMEDA, in the course of his agency relationship with HUGO ESTRADA, disregarded the stop sign at the east side of 22nd Street and struck the bus in which the Plaintiff, SHAKIRA COOK, was a passenger.

11. That as a direct and proximate result of the aforesaid careless and negligent acts and/or omissions of the Defendant, HUGO ESTRADA, by and through the acts and/or omissions of the Defendant, ROMELIO OLMEDA, the Plaintiff, SHAKIRA COOK, then and there sustained severe injuries, and, as a result, will be hindered and prevented from attending to her usual duties and affairs, and has lost, and will in the future lose, the value of that time as aforementioned. The Plaintiff also suffered great pain and anguish, both in mind and in body, and will continue to suffer in her future. The Plaintiff further expended and became liable for, and will continue to expend and become liable for, large sums of money for medical care and services endeavoring to become healed and cured of said injuries.

WHEREFORE, Plaintiff, SHAKIRA COOK, demands judgment against Defendant, HUGO ESTRADA, in a dollar amount to satisfy the jurisdictional limits of this Court, and such additional amounts as the jury and the court shall deem proper, and additionally, costs of said suit.

COUNT V

MICHAEL MCCLINTON Against PACE SUBURBAN BUS SERVICE (PACE)

1. That on or about Wednesday, August 21, 2024, and prior thereto, the Defendant, PACE, was in business as a common carrier by bus and, as such common carrier, was possessed of, maintained, used, managed, and operated certain buses over a system of routes in the vicinity

of Joppa Avenue, at or near its intersection with 22nd Street, in the City of Zion, County of Lake, and State of Illinois.

2. At said time and place, the Defendant, PACE, was a duly authorized common carrier in the State of Illinois, engaged in the business of transporting bus passengers.

3. That it then and there became and was the duty of the Defendant, PACE, as a common carrier, to exercise the highest degree of care for the safety of its passengers.

4. At said time and place, the Defendant, PACE, owned, operated, maintained, managed, and controlled a bus being operated by and through its agents, servants and employees, in the vicinity of Joppa Avenue, at or near its intersection with 22nd Street.

5. At said time and place, Plaintiff, MICHAEL MCCLINTON, was a fare-paying passenger on the aforementioned PACE BUS ROUTE #571 PACE bus and was lawfully and properly on said bus at or near the above-mentioned location.

6. That the Defendant, PACE, was then and there guilty of one or more of the following careless and negligent acts and/or omissions:

- a. Drove the aforementioned bus at a speed which was greater than reasonable and proper, in violation of 625 ILCS 5/11-601;
- b. Drove the aforementioned bus without brakes adequate to control its movements, and to stop and hold it, in violation of 625 ILCS 5/12-301;
- c. Failed to sound the horn or otherwise warn of impending danger of collision in violation of 625 ILCS 5/12-601;
- d. Failed to keep a proper lookout ahead and in the direction of travel so as to avoid collision;
- e. Failed to stop the aforementioned bus in time to avoid said collision, although Defendant saw, or should have seen, that it was impending in ample time and opportunity to avoid it;

- f. Failed to maintain the aforementioned bus in a safe and working order for use and operation on the roadway;
- g. Failed to operate the bus in a manner so as to avoid injuring the Plaintiff's person;
- h. Operated said bus in an erratic, reckless, careless, and/or negligent manner;
- i. Was otherwise careless and negligent.

7. As a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant, the vehicle operated by the Defendant, PACE, with Plaintiff, MICHAEL MCCLINTON, as passenger, struck the vehicle operated by Defendant, ROMELIO OLMEDA.

8. That as a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant, PACE, the Plaintiff, MICHAEL MCCLINTON, sustained severe and permanent injuries, both externally and internally, and was and will be hindered and prevented from attending to his usual duties and affairs and has lost and will in the future lose the value of that time. The Plaintiff also suffered great pain and anguish, both in mind and body, and will in the future continue to suffer. The Plaintiff further expended and became liable for, and will expend become liable to pay, large sums of money for medical care and services, endeavoring to become healed and cured of his injuries.

WHEREFORE, the Plaintiff, MICHAEL MCCLINTON, demands judgment against the Defendant, PACE, in a dollar amount to satisfy the jurisdiction and limitations of this Court and such additional amounts as the jury and the Court shall deem proper, and additionally, costs of said suit.

COUNT VI
MICHAEL MCCLINTON Against DERRICK MURPHY

1. That on Wednesday, August 21, 2024 and prior thereto, the Defendant, DERRICK MURPHY, as agent, servant and/or employee of the Defendant, PACE, was in business as a common carrier by bus and, as such common carrier, was possessed of, maintained, used, managed and operated certain buses over a system of routes in the vicinity of Joppa Avenue, at or near its intersection with 22nd Street, in the City of Zion, County of Lake, and State of Illinois.

2. That at the aforementioned time and place, the Defendant, DERRICK MURPHY, as agent, servant and/or employee of the Defendant, PACE, owed to his passengers and customers the highest degree of care for their safety, commensurate with that of a common carrier for hire.

3. That on August 21, 2024, Plaintiff, MICHAEL MCCLINTON, was a fare-paying passenger on the aforementioned PACE BUS ROUTE #571 PACE bus and was lawfully and properly on said bus at or near the above-mentioned location, and being driven by the Defendant, DERRICK MURPHY, an agent, servant, and/or employee of the Defendant, PACE.

4. That on the aforesaid date, the Defendant, DERRICK MURPHY, was operating a bus in the capacity of agent, servant and/or employee of the Defendant, PACE, in the vicinity of Joppa Avenue, at or near its intersection with 22nd Street, in the City of Zion, County of Lake, and State of Illinois.

5. That at said time and place, the Defendant, DERRICK MURPHY, an agent, servant, and/or employee of Defendant, PACE, was then and there guilty of one or more of the following careless and negligent acts and/or omissions:

- a. Drove the aforementioned bus at a speed which was greater than reasonable and proper, in violation of 625 ILCS 5/11-601;
- b. Drove the aforementioned bus without brakes adequate to control its movements, and to stop and hold it, in violation of 625 ILCS 5/12-301;

- c. Failed to sound the horn or otherwise warn of impending danger of collision in violation of 625 ILCS 5/12-601;
- d. Failed to keep a proper lookout ahead and in the direction of travel so as to avoid collision;
- e. Failed to stop the aforementioned bus in time to avoid said collision, although Defendant saw, or should have seen, that it was impending in ample time and opportunity to avoid it;
- f. Failed to maintain the aforementioned bus in a safe and working order for use and operation on the roadway;
- g. Failed to operate the bus in a manner so as to avoid injuring the Plaintiff's person;
- h. Operated said bus in an erratic, reckless, careless, and/or negligent manner;
- i. Was otherwise careless and negligent.

6. As a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant, the vehicle operated by the Defendant, DERRICK MURPHY, an agent, servant, and/or employee of Defendant, PACE, with Plaintiff, MICHAEL MCCLINTON, as passenger, struck the vehicle operated by Defendant, ROMELIO OLMEDA.

7. That as a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant, DERRICK MURPHY, an agent, servant, and/or employee of Defendant, PACE, the Plaintiff, MICHAEL MCCLINTON, sustained severe and permanent injuries, both externally and internally, and was and will be hindered and prevented from attending to his usual duties and affairs and has lost and will in the future lose the value of that time. The Plaintiff also suffered great pain and anguish, both in mind and body, and will in the future continue to suffer. The Plaintiff further expended and became liable for, and will expend

become liable to pay, large sums of money for medical care and services, endeavoring to become healed and cured of his injuries.

WHEREFORE, the Plaintiff, MICHAEL MCCLINTON, demands judgment against the Defendant, DERRICK MURPHY, an agent, servant, and/or employee of Defendant, PACE, in a dollar amount to satisfy the jurisdiction and limitations of this Court and such additional amounts as the jury and the Court shall deem proper, and additionally, costs of said suit.

COUNT VII
MICHAEL MCCLINTON Against ROMELIO OLMEDA

1. On the afternoon of August 21, 2024, the Plaintiff, MICHAEL MCCLINTON, was a fare-paying passenger on a bus owned and operated by the Defendant, PACE, traveling northbound on Joppa Avenue at or near the intersection with 22nd Street in the City of Zion, County of Lake, and State of Illinois.

2. At said time and place, the Defendant, ROMELIO OLMEDA, was operating a motor vehicle owned by Defendant, HUGO ESTRADA in an eastbound direction on 22nd Street at or near its intersection with Joppa Avenue in the aforementioned City, County, and State.

3. At all times relevant herein, the Defendant, ROMELIO OLMEDA, was an agent, servant, and/or employee of HUGO ESTRADA, and acting within the course and scope of his agency relationship.

4. At all times relevant herein, there existed a stop sign on eastbound 22nd Street immediately preceding its intersection with Joppa Avenue in the aforementioned City, County, and State.

5. At all times relevant herein, there was not a stop sign or traffic signal on northbound Joppa Avenue at or near its intersection with 22nd Street in the aforementioned City, County, and State.

6. That at the aforementioned time and place, the bus owned and operated by PACE, on which the Plaintiff, MICHAEL MCCLINTON, was a passenger, had the right-of-way at the intersection of Joppa Avenue and 22nd Street.

7. At all times relevant herein, it was the duty of the Defendant, ROMELIO OLMEDA, to exercise ordinary care in the operation, ownership, control, and maintenance of said vehicle, and in accordance with the statutes and common law of this state pertaining to the operation of a motor vehicle upon the public street, so as not to cause injury to the Plaintiff and others.

8. That at the aforementioned time and place, in dereliction of his duty, the Defendant, ROMELIO OLMEDA, committed one or more of the following careless negligent acts and/or omissions:

- a. Failed to stop as required when approaching an intersection controlled by a stop sign, in violation of 625 ILCS 5/11-204;
- b. Failed to obey the instructions of an official traffic control device, a stop-sign posted and governing course of travel, contrary to and in violation of 625 ILCS 5/11-305(a);
- c. Drove the vehicle operated by him at a speed which was greater than reasonable and proper in violation of 625 ILCS 5/11-601;
- d. Failed to sound the horn on said vehicle so as to give warning of its movement, in violation of 625 ILCS 5/11-601;
- e. Drove said vehicle into the path of oncoming traffic when it was not safe to do so, in violation of 625 ILCS 5/11-902;
- f. Failed to yield the intersection, in violation of 625 ILCS 5/11-904(a);
- g. Failed to keep a proper lookout as he drove his vehicle so as to avoid and prevent a collision;

- h. Failed to see and observe the bus operated by Defendant, PACE, on which Plaintiff, MICHAEL MCCLINTON, was a passenger, when it could and should have been observed; and/or
- i. Was otherwise careless and negligent in the operation, maintenance, and control of his vehicle.

9. As a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant, the vehicle operated by the Defendant, ROMELIO OLMEDA, disregarded the stop sign at the east side of 22nd Street and struck the bus in which the Plaintiff, MICHAEL MCCLINTON, was a passenger.

10. That as a direct and proximate result of the aforesaid careless and negligent acts and/or omissions of the Defendant, ROMELIO OLMEDA, the Plaintiff, MICHAEL MCCLINTON, then and there sustained severe injuries, and, as a result, will be hindered and prevented from attending to his usual duties and affairs, and has lost, and will in the future lose, the value of that time as aforementioned. The Plaintiff also suffered great pain and anguish, both in mind and in body, and will continue to suffer in his future. The Plaintiff further expended and became liable for, and will continue to expend and become liable for, large sums of money for medical care and services endeavoring to become healed and cured of said injuries.

WHEREFORE, Plaintiff, MICHAEL MCCLINTON, demands judgment against Defendant, ROMELIO OLMEDA, in a dollar amount to satisfy the jurisdictional limits of this Court, and such additional amounts as the jury and the court shall deem proper, and additionally, costs of said suit.

COUNT VIII
MICHAEL MCCLINTON Against HUGO ESTRADA

1. Plaintiff reincorporates paragraphs 1-6 of "Count VII" and reincorporates them by reference as if fully set out herein.

7. At all times relevant herein, Defendant, ROMELIO OLMEDA, was acting as the agent, servant, employee, representative, and/or at the instruction of Defendant, HUGO ESTRADA.

8. At all times relevant herein, it was the duty of the Defendant, HUGO ESTRADA, by and through the acts and/or omissions of the Defendant, ROMELIO OLMEDA, to exercise ordinary care in the operation, ownership, control, and maintenance of the aforementioned motor vehicle, and in accordance with the statutes and common law of this state pertaining to the operation of a motor vehicle upon the public roadway, so as not to cause injury to the Plaintiff and others.

9. That at the aforementioned time and place, in dereliction of his duty, the Defendant, HUGO ESTRADA, by and through the acts and/or omissions of the Defendant, ROMELIO OLMEDA, committed one or more of the following careless negligent acts and/or omissions:

- a. Failed to stop as required when approaching an intersection controlled by a stop sign, in violation of 625 ILCS 5/11/-204;
- b. Failed to keep a proper lookout as he drove his vehicle so as to avoid and prevent a collision;
- c. Failed to yield the intersection, in violation of 625 ILCS 5/11-904(a);
- d. Drove said vehicle into the path of oncoming traffic when it was not safe to do so, in violation of 625 ILCS 5/11-902;
- e. Failed to stop as required when approaching an intersection controlled by a stop sign, in violation of 625 ILCS 5/11-1204;
- f. Drove the vehicle operated by him at a speed which was greater than reasonable and proper in violation of 625 ILCS 5/11-601;
- g. Failed to obey the instructions of an official traffic control device, a stop-sign posted and governing course of travel, contrary to and in violation of 625 ILCS 5/11-305(a);


- h. Failed to sound the horn on said vehicle so as to give warning of its movement, in violation of 625 ILCS 5/11-601;
- i. Failed to see and observe the bus operated by Defendant, PACE, on which Plaintiff, MICHAEL MCCLINTON, was a passenger, when it could and should have been observed; and/or
- j. Was otherwise careless and negligent in the operation, maintenance, and control of his vehicle.

10. As a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant, the vehicle operated by the Defendant, ROMELIO OLMEDA, in the course of his agency relationship with HUGO ESTRADA, disregarded the stop sign at the east side of 22nd Street and struck the bus in which the Plaintiff, MICHAEL MCCLINTON, was a passenger.

11. That as a direct and proximate result of the aforesaid careless and negligent acts and/or omissions of the Defendant, HUGO ESTRADA, by and through the acts and/or omissions of the Defendant, ROMELIO OLMEDA, the Plaintiff, MICHAEL MCCLINTON, then and there sustained severe injuries, and, as a result, will be hindered and prevented from attending to his usual duties and affairs, and has lost, and will in the future lose, the value of that time as aforementioned. The Plaintiff also suffered great pain and anguish, both in mind and in body, and will continue to suffer in his future. The Plaintiff further expended and became liable for, and will continue to expend and become liable for, large sums of money for medical care and services endeavoring to become healed and cured of said injuries.

WHEREFORE, Plaintiff, MICHAEL MCCLINTON, demands judgment against Defendant, HUGO ESTRADA, in a dollar amount to satisfy the jurisdictional limits of this Court, and such additional amounts as the jury and the court shall deem proper, and additionally, costs of said suit.

Respectfully Submitted,
MDR LAW LLC

By: 
One of the Attorneys for Plaintiffs

Joseph J. Miroballi, Esq.
Scott H. Rudin, Esq.
Joshua M. Rappaport, Esq.
MDR LAW LLC (41994)
180 N. LaSalle Street, Suite 3650
Chicago, Illinois 60601
(312) 229-5555 - Telephone
(312) 229-5556 - Facsimile
Service of Court Documents: service@mdr-law.com

**IN THE CIRCUIT COURT OF LAKE COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION**

SHAKIRA COOK and MICHAEL)
MCCLINTON,)

Plaintiffs,)

v.)

No. 2024LA00000833


PACE SUBURBAN BUS SERVICE, a Division)
of REGIONAL TRANSPORTATION)
AUTHORITY, a Municipal Corporation,)
DERRICK MURPHY, Individually and as Agent)
of PACE SUBURBAN BUS SERVICE,)
ROMELIO OLMEDA, and HUGO ESTRADA,)

Defendants.)

ILLINOIS SUPREME COURT RULE 222 AFFIDAVIT

The undersigned, under penalties provide by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, certifies that the amount of compensatory damages to be sought in this matter exceed \$30,000.00 exclusive of interest and costs.

Date: 10/16/2024

By: 
One of the Attorneys for Plaintiffs

Joseph J. Miroballi, Esq.
Scott H. Rudin, Esq.
Joshua M. Rappaport, Esq.
MDR LAW LLC (41994)
180 N. LaSalle Street, Suite 3650
Chicago, Illinois 60601
(312) 229-5555 - Telephone
(312) 229-5556 - Facsimile
Service of Court Documents: service@mdr-law.com