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File No. 21-10

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

CLIVIA CAMPOS, )  
)  
Plaintiff, )  
) NO: 21 L 9797  
v. )  
)  
CITY OF CHICAGO, a Municipal Corporation, by )  
and through its authorized agents and employees, )  
and JACQUELINE PENARANDA, )  
)  
Defendants. )

**AMENDED COMPLAINT AT LAW**

NOW COMES the plaintiff, CLIVIA CAMPOS, by and through his attorneys, McNABOLA & ASSOCIATES, LLC, complaining of the defendants, CITY OF CHICAGO, a Municipal Corporation, by and through its authorized agents and employees, and JACQUELINE PENARANDA, states as follows:

*Allegations Common to all Counts*

1. On and about April 12, 2021, and at all times material, the defendant, CITY OF CHICAGO, was a municipal corporation existing in the County of Cook, State of Illinois.
2. On and before April 12, 2021, and at all times material, the defendant, CITY OF CHICAGO, maintained a Department of Streets and Sanitation that employed various people who acted as the actual agents and/or employees of CITY OF CHICAGO.
3. On and before April 12, 2021, and at all times material, the defendant, CITY OF CHICAGO, employed Darius Lester in its Department of Streets and Sanitation.

4. On April 12, 2021, West Addison Street was a roadway running in an east/west direction at or near its intersection with North Newland Avenue in the City of Chicago, County of Cook, State of Illinois.

5. On April 12, 2021, North Newland Avenue was a street running in a north/south direction at or near its intersection with West Addison Street in the City of Chicago, County of Cook, State of Illinois.

6. On April 12, 2021, the plaintiff, CLIVIA CAMPOS, owned, operated, managed, maintained and/or controlled a motor vehicle traveling eastbound on West Addison Street at or near its intersection with North Newland Avenue.

7. On April 12, 2021, the defendant, CITY OF CHICAGO, by and through its authorized agent and employee, including but not limited to Darius Lester, owned, operated, managed, maintained and/or controlled a motor vehicle traveling eastbound on West Addison Street at or near its intersection with North Newland Avenue.

8. On April 12, 2021, the defendant, JACQUELINE PENARANDA, owned, operated, managed, maintained and/or controlled a motor vehicle traveling westbound on West Addison Street at or near its intersection with North Newland Avenue.

9. On April 12, 2021, the motor vehicle owned, operated, controlled and/or managed by the defendant, JACQUELINE PENARANDA, attempted to make a U-turn onto eastbound West Addison Street and crossed the center line when she then and there came into violent contact with the motor vehicle then and there being operated by the plaintiff, CLIVIA CAMPOS.

10. On April 12, 2021, and after the above alleged crash, the motor vehicle owned, operated, controlled and/or managed by the defendant, CITY OF CHICAGO, by and through its authorized agent and employee, including but not limited to Darius Lester, came into a violent

collision with rear of the motor vehicle then and there being operated by the plaintiff, CLIVIA CAMPOS.

**Count I**  
***Negligence v. City of Chicago***

1-10. Plaintiff reasserts and realleges paragraphs one (1) through ten (10) of this Complaint as paragraphs one (1) through ten (10) of Count I.

11. At all times relevant, the defendant, CITY OF CHICAGO, a Municipal Corporation, by and through its authorized agent and employees including but not limited to Darius Lester, owed a duty of reasonable care to members of the public including the plaintiff, CLIVIA CAMPOS, in the operation of a motor vehicle.

12. On April 12, 2021, the defendant, CITY OF CHICAGO, by and through its authorized agent and employee, including but not limited to Darius Lester, was negligent in one or more of the following ways:

- (a) Drove garbage truck into the rear Plaintiff's vehicle; or
- (b) Failed to keep a proper lookout; or
- (c) Failed to decrease speed to avoid colliding with Plaintiff's vehicle.

13. As a proximate result of one or more of the foregoing negligent acts and/or omissions of the defendant, CITY OF CHICAGO, by and through its authorized agent and employee, including but not limited to Darius Lester, the plaintiff, CLIVIA CAMPOS, suffered serious bodily injuries, including bilateral full thickness rotator cuff tears and herniated cervical discs, amongst others, that required extensive medical care and treatment including surgeries, rehabilitation, and medications, amongst others.

14. The bodily injuries suffered by the plaintiff, CLIVA CAMPOS, and caused by the defendant, CITY OF CHICAGO, by and through its authorized agent and employee, including but not limited to Darius Lester, are indivisible from the bodily injuries caused by the defendant, JACQUELINE PENARANDA, as alleged in Count II of this Amended Complaint at Law.

15. As a proximate result of one or more of the foregoing negligent acts and/or omissions of the defendant, CITY OF CHICAGO, by and through its authorized agent and employee, including but not limited to Darius Lester, the plaintiff, CLIVIA CAMPOS, suffered damages of a personal and pecuniary nature.

WHEREFORE, the plaintiff, CLIVIA CAMPOS, demands judgment against the defendant, CITY OF CHICAGO, in an amount in excess of the jurisdictional minimum of \$50,000.00.

**Count II**  
***Negligence v. Jacqueline Penaranda***

1-10. Plaintiff reasserts and realleges paragraphs one (1) through ten (10) of this Complaint as paragraphs one (1) through ten (10) of Count II.

11. At all times relevant, the defendant, JACQUELINE PENARANDA, owed a duty of reasonable care to members of the public including the plaintiff, CLIVIA CAMPOS, in the operation of a motor vehicle.

12. On April 12, 2021, the defendant, JACQUELINE PENARANDA, was negligent in one or more of the following ways:

- (a) Drove her vehicle into a collision with Plaintiff's vehicle; or
- (b) Improperly attempted a U-turn when it was unsafe to do so; or
- (c) Failed to keep a proper lookout; or
- (d) Failed to decrease speed to avoid colliding with Plaintiff's vehicle.

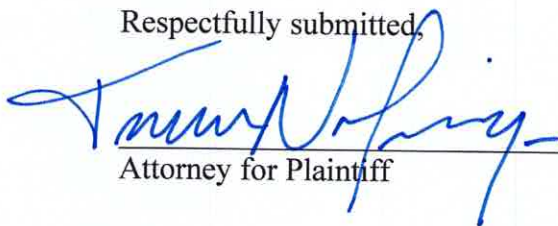
13. As a proximate result of one or more of the foregoing negligent acts and/or omissions of the defendant, JACQUELINE PENARANDA, the plaintiff, CLIVIA CAMPOS, suffered serious bodily injuries, including bilateral full thickness rotator cuff tears and herniated cervical discs, amongst others, that required extensive medical care and treatment including surgeries, rehabilitation, and medications, amongst others.

14. The bodily injuries suffered by the plaintiff, CLIVA CAMPOS, and caused by the defendant, JACQUELINE PENARANDA, are indivisible from the bodily injuries caused by the defendant, CITY OF CHICAGO, by and through its authorized agent and employee, including but not limited to Darius Lester, as alleged in Count I of this Amended Complaint at Law.

15. As a proximate result of one or more of the foregoing negligent acts and/or omissions of the defendant, JACQUELINE PENARANDA, the plaintiff, CLIVIA CAMPOS, suffered damages of a personal and pecuniary nature.

WHEREFORE, the plaintiff, CLIVIA CAMPOS, demands judgment against the defendant, JACQUELINE PENARANDA, in an amount in excess of the jurisdictional minimum of \$50,000.00.

Respectfully submitted,



Attorney for Plaintiff

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