

CIVIL - NON-DOMESTIC CASE INFORMATION REPORT

DIRECTIONS

Plaintiff: This Information Report must be completed and attached to the complaint filed with the Clerk of Court unless your case is exempted from the requirement by the Chief Judge of the Court of Appeals pursuant to Rule 2-111(a).

Defendant: You must file an Information Report as required by Rule 2-323(h).

THIS INFORMATION REPORT CANNOT BE ACCEPTED AS A PLEADING

FORM FILED BY: PLAINTIFF DEFENDANT CASE NUMBER _____

(Clerk to insert)

CASE NAME: Rolonda Johnson, et. al. vs. Michael Brown, et. al.

Plaintiff

Defendant

PARTY'S NAME: Rolonda Johnson

PHONE:

PARTY'S ADDRESS: 1504 Oates Street, NE, Apt. 1, Washington, DC 20002

PARTY'S E-MAIL: _____

If represented by an attorney:

PARTY'S ATTORNEY'S NAME: F. Scott Lucas, Esquire PHONE: 410-324-2000

PARTY'S ATTORNEY'S ADDRESS: 888 Bestgate Rd., Suite 205, Annapolis, MD 21401

PARTY'S ATTORNEY'S E-MAIL: scott@damoreinjurylaw.com

JURY DEMAND? Yes NoRELATED CASE PENDING? Yes No If yes, Case #(s), if known: _____

ANTICIPATED LENGTH OF TRIAL?: _____ hours _____ days

PLEADING TYPE

New Case: Original Administrative Appeal Appeal

Existing Case: Post-Judgment Amendment

If filing in an existing case, skip Case Category/ Subcategory section - go to Relief section.

IF NEW CASE: CASE CATEGORY/SUBCATEGORY (Check one box.)

TORTS

- Asbestos
- Assault and Battery
- Business and Commercial
- Conspiracy
- Conversion
- Defamation
- False Arrest/Imprisonment
- Fraud
- Lead Paint - DOB of Youngest Plt: _____
- Loss of Consortium
- Malicious Prosecution
- Malpractice-Medical
- Malpractice-Professional
- Misrepresentation
- Motor Tort
- Negligence
- Nuisance
- Premises Liability
- Product Liability
- Specific Performance
- Toxic Tort
- Trespass
- Wrongful Death

CONTRACT

- Asbestos
- Breach
- Business and Commercial
- Confessed Judgment
- (Cont'd)
- Construction
- Debt
- Fraud

- Government
- Insurance
- Product Liability
- Adverse Possession
- Breach of Lease
- Detinue
- Distress/Distrain
- Ejectment
- Forcible Entry/Detainer
- Foreclosure
- Commercial
- Residential
- Currency or Vehicle
- Deed of Trust
- Land Installments
- Lien
- Mortgage
- Right of Redemption
- Statement Condo
- Forfeiture of Property / Personal Item
- Fraudulent Conveyance
- Landlord-Tenant
- Lis Pendens
- Mechanic's Lien
- Ownership
- Partition/Sale in Lieu
- Quiet Title
- Rent Escrow
- Return of Seized Property
- Right of Redemption
- Tenant Holding Over

- PUBLIC LAW
- Attorney Grievance
- Bond Forfeiture Remission
- Civil Rights
- County/Mncpl Code/Ord
- Election Law
- Eminent Domain/Condemn.
- Environment
- Error Coram Nobis
- Habeas Corpus
- Mandamus
- Prisoner Rights
- Public Info. Act Records
- Quarantine/Isolation
- Writ of Certiorari

EMPLOYMENT

- ADA
- Conspiracy
- EEO/HR
- FLSA
- FMLA
- Workers' Compensation
- Wrongful Termination

INDEPENDENT

- PROCEEDINGS
- Assumption of Jurisdiction
- Authorized Sale
- Attorney Appointment
- Body Attachment Issuance
- Commission Issuance

- Constructive Trust
- Contempt
- Deposition Notice
- Dist Ct Mtn Appeal
- Financial
- Grand Jury/Petit Jury
- Miscellaneous
- Perpetuate Testimony/Evidence
- Prod. of Documents Req.
- Receivership
- Sentence Transfer
- Set Aside Deed
- Special Adm. - Atty
- Subpoena Issue/Quash
- Trust Established
- Trustee Substitution/Removal
- Witness Appearance-Compel

PEACE ORDER

- Peace Order

EQUITY

- Declaratory Judgment
- Equitable Relief
- Injunctive Relief
- Mandamus

OTHER

- Accounting
- Friendly Suit
- Grantor in Possession
- Maryland Insurance Administration
- Miscellaneous
- Specific Transaction
- Structured Settlements

IF NEW OR EXISTING CASE: RELIEF (Check All that Apply)

<input type="checkbox"/> Abatement	<input type="checkbox"/> Earnings Withholding	<input type="checkbox"/> Judgment-Interest	<input type="checkbox"/> Return of Property
<input type="checkbox"/> Administrative Action	<input type="checkbox"/> Enrollment	<input type="checkbox"/> Judgment-Summary	<input type="checkbox"/> Sale of Property
<input type="checkbox"/> Appointment of Receiver	<input type="checkbox"/> Expungement	<input checked="" type="checkbox"/> Liability	<input type="checkbox"/> Specific Performance
<input type="checkbox"/> Arbitration	<input type="checkbox"/> Findings of Fact	<input type="checkbox"/> Oral Examination	<input type="checkbox"/> Writ-Error Coram Nobis
<input type="checkbox"/> Asset Determination	<input type="checkbox"/> Foreclosure	<input type="checkbox"/> Order	<input type="checkbox"/> Writ-Execution
<input type="checkbox"/> Attachment b/f Judgment	<input type="checkbox"/> Injunction	<input type="checkbox"/> Ownership of Property	<input type="checkbox"/> Writ-Garnish Property
<input type="checkbox"/> Cease & Desist Order	<input type="checkbox"/> Judgment-Affidavit	<input type="checkbox"/> Partition of Property	<input type="checkbox"/> Writ-Garnish Wages
<input type="checkbox"/> Condemn Bldg	<input type="checkbox"/> Judgment-Attorney Fees	<input type="checkbox"/> Peace Order	<input type="checkbox"/> Writ-Habeas Corpus
<input type="checkbox"/> Contempt	<input type="checkbox"/> Judgment-Confessed	<input type="checkbox"/> Possession	<input type="checkbox"/> Writ-Mandamus
<input type="checkbox"/> Court Costs/Fees	<input type="checkbox"/> Judgment-Consent	<input type="checkbox"/> Production of Records	<input type="checkbox"/> Writ-Possession
<input checked="" type="checkbox"/> Damages-Compensatory	<input type="checkbox"/> Judgment-Declaratory	<input type="checkbox"/> Quarantine/Isolation Order	
<input type="checkbox"/> Damages-Punitive	<input type="checkbox"/> Judgment-Default	<input type="checkbox"/> Reinstatement of Employment	

If you indicated **Liability** above, mark one of the following. This information is not an admission and may not be used for any purpose other than Track Assignment.

Liability is conceded. Liability is not conceded, but is not seriously in dispute. Liability is seriously in dispute.

MONETARY DAMAGES (Do not include Attorney's Fees, Interest, or Court Costs)

Under \$10,000 \$10,000 - \$30,000 \$30,000 - \$100,000 Over \$100,000

Medical Bills \$ pending Wage Loss \$ pending Property Damages \$

ALTERNATIVE DISPUTE RESOLUTION INFORMATION

Is this case appropriate for referral to an ADR process under Md. Rule 17-101? (Check all that apply)

A. Mediation	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	C. Settlement Conference	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
B. Arbitration	<input type="checkbox"/> Yes	<input type="checkbox"/> No	D. Neutral Evaluation	<input type="checkbox"/> Yes	<input type="checkbox"/> No

SPECIAL REQUIREMENTS

If a Spoken Language Interpreter is needed, **check here and attach form CC-DC-041**
 If you require an accommodation for a disability under the Americans with Disabilities Act, **check here and attach form CC-DC-049**

ESTIMATED LENGTH OF TRIAL

With the exception of Baltimore County and Baltimore City, please fill in the estimated **LENGTH OF TRIAL**.
(Case will be tracked accordingly)

<input type="checkbox"/> 1/2 day of trial or less	<input type="checkbox"/> 3 days of trial time
<input type="checkbox"/> 1 day of trial time	<input checked="" type="checkbox"/> More than 3 days of trial time
<input type="checkbox"/> 2 days of trial time	

BUSINESS AND TECHNOLOGY CASE MANAGEMENT PROGRAM

For all jurisdictions, if Business and Technology track designation under Md. Rule 16-308 is requested, attach a duplicate copy of complaint and check one of the tracks below.

<input checked="" type="checkbox"/> Expedited- Trial within 7 months of Defendant's response	<input type="checkbox"/> Standard - Trial within 18 months of Defendant's response
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EMERGENCY RELIEF REQUESTED

**COMPLEX SCIENCE AND/OR TECHNOLOGICAL CASE
MANAGEMENT PROGRAM (ASTAR)**

FOR PURPOSES OF POSSIBLE SPECIAL ASSIGNMENT TO ASTAR RESOURCES JUDGES under Md. Rule 16-302, attach a duplicate copy of complaint and check whether assignment to an ASTAR is requested.

Expedited - Trial within 7 months of Defendant's response **Standard** - Trial within 18 months of Defendant's response

**IF YOU ARE FILING YOUR COMPLAINT IN BALTIMORE CITY, OR BALTIMORE COUNTY,
PLEASE FILL OUT THE APPROPRIATE BOX BELOW.**

CIRCUIT COURT FOR BALTIMORE CITY (CHECK ONLY ONE)

<input type="checkbox"/> Expedited	Trial 60 to 120 days from notice. Non-jury matters.
<input type="checkbox"/> Civil-Short	Trial 210 days from first answer.
<input checked="" type="checkbox"/> Civil-Standard	Trial 360 days from first answer.
<input type="checkbox"/> Custom	Scheduling order entered by individual judge.
<input type="checkbox"/> Asbestos	Special scheduling order.
<input type="checkbox"/> Lead Paint	Fill in: Birth Date of youngest plaintiff _____.
<input type="checkbox"/> Tax Sale Foreclosures	Special scheduling order.
<input type="checkbox"/> Mortgage Foreclosures	No scheduling order.

CIRCUIT COURT FOR BALTIMORE COUNTY

<input type="checkbox"/> Expedited (Trial Date-90 days)	Attachment Before Judgment, Declaratory Judgment (Simple), Administrative Appeals, District Court Appeals and Jury Trial Prayers, Guardianship, Injunction, Mandamus.
<input type="checkbox"/> Standard (Trial Date-240 days)	Condemnation, Confessed Judgments (Vacated), Contract, Employment Related Cases, Fraud and Misrepresentation, International Tort, Motor Tort, Other Personal Injury, Workers' Compensation Cases.
<input type="checkbox"/> Extended Standard (Trial Date-345 days)	Asbestos, Lender Liability, Professional Malpractice, Serious Motor Tort or Personal Injury Cases (medical expenses and wage loss of \$100,000, expert and out-of-state witnesses (parties), and trial of five or more days), State Insolvency.
<input type="checkbox"/> Complex (Trial Date-450 days)	Class Actions, Designated Toxic Tort, Major Construction Contracts, Major Product Liabilities, Other Complex Cases.

6/15/2017

Date

888 Bestgate Road, Suite 205

Address

Annapolis

City

MD

State

21401

Zip Code



Signature of Counsel / Party

F. Scott Lucas, Esquire

Printed Name

IN THE CIRCUIT COURT FOR BALTIMORE CITY, MARYLAND

ROLONDA JOHNSON :
1504 Oates Street, NE :
Apt. 1 :
Washington, D.C. 20002 :

& :

VERLONDA JOHNSON-BAKER :
1504 Oates Street, NE :
Apt. 1 :
Washington, D.C. 20002 :

Case No.: -----

& :

ALLEN JOHNSON, Individually :
2300 Good Hope Road, SE :
Apt. 915 :
Washington, D.C. 20020 :

& :

MARLENE JOHNSON :
1512 N. Oakley Boulevard :
Apt. 3 :
Chicago, IL 60622 :

& :

VIRGINIA JOHNSON :
1504 Oates Street, NE :
Apt. 1 :
Washington, D.C. 20002 :

& :

VINCENT JOHNSON :
143 Mountainhigh Drive :
Antioch, TN 37013 :

& :

ALLEN JOHNSON, as Personal :
Representative of the ESTATE OF :
SONJIA V. JOHNSON-BAKER :
2300 Good Hope Road, SE :

Apt. 915 :
Washington, D.C. 20020 :

Plaintiffs, :

vs. :

MICHAEL RICHARD BROWN :
18800 Roxbury Road :
Hagerstown, MD 21746 :

& :

STATE OF MARYLAND :
45 Calvert Street :
Annapolis, MD 21401 :

Serve: Brian Frosh, :
Attorney General :
200 St. Paul Place :
Baltimore, MD 21202 :

MARYLAND DEPARTMENT :
OF TRANSPORTATION :
7201 Corporate Center Drive :
Hanover, MD 21076 :

Serve: Brian Frosh, :
Attorney General :
200 St. Paul Place :
Baltimore, MD 21202 :

& :

MARYLAND TRANSPORTATION :
AUTHORITY :
2310 Broening Highway :
Baltimore, MD 21224 :

Serve: Brian Frosh, :
Attorney General :
200 St. Paul Place :
Baltimore, MD 21202 :

& :

Officer II WILLIS :
ID No.: Unknown :

Maryland Transportation :
Authority Police :
2310 Broening Highway :
Baltimore, MD 21224 :

& :

Officer II KEIGHTLEY :
ID No.: Unknown :
Maryland Transportation :
Authority Police :
2310 Broening Highway :
Baltimore, MD 21224 :

& :

Senior OFFICER CUMMINS :
ID No.: Unknown :
Maryland Transportation :
Authority Police :
2310 Broening Highway :
Baltimore, MD 21224 :

& :

Senior OFFICER STAIGERWALD :
ID No.: Unknown :
Maryland Transportation :
Authority Police :
2310 Broening Highway :
Baltimore, MD 21224 :

Defendants :

COMPLAINT FOR DAMAGES

COMES NOW the Plaintiffs, by and through undersigned counsel, and bring this cause of action for damages against defendants Michael Richard Brown, State of Maryland, Maryland Transportation Authority, Maryland Transportation Authority Police, Officer II Willis, Office II Keightley, Senior Officer Cummins and Senior Officer Staigerwald and as grounds therefore states:

JURISDICTION

1. Jurisdiction is vested in this Court pursuant to Maryland Code, Courts & Judicial Proceedings Article, § 1-501.

2. This Court has personal jurisdiction over the Defendants pursuant to Maryland Code, Courts & Judicial Proceedings Article, §§ 6-102 and 6-103.

VENUE & PARTIES

3. Venue is proper pursuant to Maryland Code, Courts & Judicial Proceedings Article, §§ 6-201 and 6-202.

4. Plaintiff Rolonda Johnson is an adult resident of the District of Columbia and is under no legal disability. Plaintiff Rolonda Johnson is also the daughter of decedent Sonjia Johnson-Baker and is a party to this action individually and as a primary beneficiary pursuant to MD. CODE ANN., CTS. & JUD. PROC. § 3-904. At all times relevant hereto Rolonda Johnson resided in a home with Sonjia Johnson-Baker and relied upon the income of Sonjia Johnson-Baker to contribute to household expenses.

5. Plaintiff Verlonda Johnson-Baker is an adult resident of the District of Columbia and is under no legal disability. Plaintiff Verlonda Johnson is also the daughter of decedent Sonjia Johnson-Baker and is a party to this action individually and as a primary beneficiary pursuant to MD. CODE ANN., CTS. & JUD. PROC. § 3-904. At all times relevant hereto Verlonda Johnson-Baker resided in a home with Sonjia Johnson-Baker and relied upon the income of Sonjia Johnson-Baker to contribute to household expenses.

6. Plaintiff Allen Johnson is an adult resident of the District of Columbia, is under no legal disability and is a primary beneficiary pursuant to MD. CODE ANN., CTS. & JUD. PROC. § 3-904. Plaintiff Allen Johnson is the son of decedent Sonjia Johnson-Baker. In addition to being a party in his own right he also serves as the personal representative of the estate of Sonjia Johnson-Baker.

7. Plaintiff Marlene Johnson is an adult resident of the state of Illinois, is under no legal disability and is a primary beneficiary pursuant to MD. CODE ANN., CTS. & JUD.

PROC. § 3-904.. Plaintiff Marlene Johnson is the daughter of decedent Sonja Johnson-Baker.

8. Plaintiff Virginia Johnson is an adult resident of the District of Columbia, is under no legal disability and is a primary beneficiary pursuant to MD. CODE ANN., CTS. & JUD. PROC. § 3-904. Plaintiff Virginia Johnson is the mother of decedent Sonja Johnson-Baker. At all times relevant hereto Virginia Johnson resided in a home with Sonja Johnson-Baker and relied upon the income of Sonja Johnson-Baker to contribute to household expenses.

9. Plaintiff Vincent Johnson is an adult resident of the state of Tennessee, is under no legal disability and is a primary beneficiary pursuant to MD. CODE ANN., CTS. & JUD. PROC. § 3-904. Plaintiff Vincent Johnson is the son of decedent Sonja Johnson-Baker.

10. Defendant Michael Richard Brown [hereinafter "defendant Brown"] is, upon knowledge, information and belief, an adult resident of the state of Maryland and is under no legal disability.

11. Defendant State of Maryland is a constituent member of the group of states that comprise the United States of America and is the governmental unit to which the Maryland Department of Transportation belongs together with all of its agencies, units, divisions and authorities.

12. Defendant Maryland Department of Transportation is an organization within the government of the State of Maryland that is comprised of five business units and one authority, that authority being the Maryland Transportation Authority.

13. Defendant Maryland Transportation Authority is an independent agency of the State of Maryland, situated within the Maryland Department of Transportation, and which maintains a police department known as the Maryland Transportation Authority Police, a full service police department which provides law enforcement services at those

highways, tunnels and bridges owned by the authority as well as at the Baltimore/Washington International Thurgood Marshall Airport and the Port of Baltimore.

14. Upon knowledge, information and belief Defendant Officer II Willis¹ [hereinafter "defendant Willis"] was, at all times relevant hereto, a police officer employed with the Maryland Transportation Authority Police and is an adult under no legal disability.

15. Upon knowledge, information and belief Defendant Officer II Keightley² [hereinafter "defendant Keightley"] was, at all times relevant hereto, a police officer employed with the Maryland Transportation Authority Police and is an adult under no legal disability.

16. Upon knowledge, information and belief Defendant Senior Officer Cummins³ [hereinafter "defendant Cummins"] was, at all times relevant hereto, a police officer employed with the Maryland Transportation Authority Police and is an adult under no legal disability.

17. Upon knowledge, information and belief Defendant Senior Officer II Staigerwald⁴ [hereinafter "defendant Staigerwald"] was, at all times relevant hereto, a police

¹ Plaintiffs have relied upon the *Detailed Crash Investigation Report* prepared by Sgt. Eric Gregson of the Maryland State Police for the identification of the Maryland Transportation Authority Police Department officers involved in the incident that is the subject of this Complaint. That report did not provide the first name of Officer II Willis nor his/her identification number. Plaintiffs will promptly amend this Complaint at such time as that information is obtained.

² Plaintiffs have relied upon the *Detailed Crash Investigation Report* prepared by Sgt. Eric Gregson of the Maryland State Police for the identification of the Maryland Transportation Authority Police Department officers involved in the incident that is the subject of this Complaint. That report did not provide the first name of Officer II Keightley nor his/her identification number. Plaintiffs will promptly amend this Complaint at such time as that information is obtained.

³ Plaintiffs have relied upon the *Detailed Crash Investigation Report* prepared by Sgt. Eric Gregson of the Maryland State Police for the identification of the Maryland Transportation Authority Police Department officers involved in the incident that is the subject of this Complaint. That report did not provide the first name of Senior Officer Cummins nor his/her identification number. Plaintiffs will promptly amend this Complaint at such time as that information is obtained.

⁴ Plaintiffs have relied upon the *Detailed Crash Investigation Report* prepared by Sgt. Eric Gregson of the Maryland State Police for the identification of the Maryland Transportation Authority Police Department officers involved in the incident that is the subject of this Complaint. That report did not provide the first name of Senior Officer II Staigerwald nor

officer employed with the Maryland Transportation Authority Police and is an adult under no legal disability.

RULE 15-1001 COMPLIANCE

18. The parties hereto conducted a good faith and reasonably diligent effort to identify, locate and name as use plaintiffs all individuals who might qualify as use plaintiffs. The parties state that no such use plaintiffs exist and that all indispensable parties are joined to this action.

MARYLAND TORT CLAIMS ACT COMPLIANCE

19. Plaintiffs have complied with the provisions of MD. CODE ANN., STATE GOVT §§ 12-106-107.

FACTUAL BACKGROUND

20. During the morning hours of December 11, 2015 Rolonda Johnson and Sonja Johnson-Baker, her mother, left their home in the District of Columbia in route to Jefferson City, Pennsylvania. The purpose of their trip was to pick up Verlonda Johnson-Baker, Rolonda's sister and Sonja's daughter, from Lincoln University where she had just completed the fall semester of her first year in college. They would be taking her home for winter break.

21. After having picked up Verlonda and while heading home the group decided to stop for lunch at *Pat's Select Pizza Grill* in Oxford, Pennsylvania.

22. Upon finishing their meal they continued on route to their home in the District of Columbia. The route they chose to take included the use of Interstate 95 south through the state of Maryland.

23. On December 11, 2015 some short time prior to 1:35 p.m. defendant Michael Brown was physically present within the WAWA convenience store located at 6541 Eastern Avenue in Baltimore City, Maryland.

his/her identification number. Plaintiffs will promptly amend this Complaint at such time as that information is obtained.

24. On the same date and at the same time defendants Willis and Keightley were also present in the WAWA.

25. At some point shortly before 1:35 p.m. defendants Brown, Willis and Keightley all left the store. Defendant Brown was accompanied within the store and as he exited the store by a gentleman later identified as Jason Cantor.

26. Defendant brown entered a 2006 Honda Accord accompanied by Mr. Cantor and two other individuals. He proceeded to leave the WAWA apparently headed eastbound on Eastern Avenue.

27. Upon leaving the WAWA the vehicle operated by defendant Brown was followed by defendant Willis. When defendant Willis' dash cam footage starts he is situated in the eastbound lanes of Eastern Avenue at the intersection of Pembroke Blvd. Immediately in front of his vehicle is the vehicle operated by defendant Brown. Defendant Brown made a left turn onto Pembroke and defendant Willis followed.

28. Defendant Brown traveled one block north on Pembroke and then made a left turn onto Bank Street headed westbound. Defendant Willis followed and at that time activated his emergency equipment. Upon activation of defendant Willis' emergency equipment⁵ defendant Brown fled down Bank Street⁶ with defendant Willis, who reached speeds as high as 46 miles per hour⁷, pursuing him. Defendant Brown, with defendant still in pursuit, made a left turn at the end of the block onto Adams Place, traveled one block southbound and then sped through a liquor store parking lot and out of the opposite side of the parking lot onto westbound Eastern Avenue. Defendant Willis followed.⁸

⁵ There is no indication in the *Detailed Crash Investigation Report* what motivated defendant Willis to affect a traffic stop and that information is not otherwise known to plaintiffs.

⁶ Bank Street is a neighborhood street lined on both sides with row houses. At the time of the chase both sides of the street, the right more than left, were populated with cars parallel parked along the curbs.

⁷ Defendant Willis' speed is taken from his dash cam footage.

⁸ Defendant Willis' dash cam footage indicated that he was traveling 27 miles per hour upon entering the parking lot. The parking lot is rather small, with marked spaces for only ten motor vehicles.

29. Shortly thereafter defendant Brown came upon a stop light at the intersection of Quinton Street and due to traffic was caused to stop. At that time the passenger on the rear driver's side of the vehicle alighted the vehicle⁹. Additionally, the rear passenger side door opened, however, traffic moved and defendant Brown sped off and the door slammed shut.

30. At this point defendant Willis' vehicle, a marked police vehicle owned by or leased the Maryland Transportation Authority and/or the Maryland Department of Transportation and/or the State of Maryland, was position directly behind defendant Brown's vehicle and defendant Keightley's vehicle, also a marked police vehicle owned by or leased the Maryland Transportation Authority and/or the Maryland Department of Transportation and/or the State of Maryland, was position directly behind defendant Willis' vehicle.

31. As traffic moved the vehicle operated by defendant Brown pulled away rapidly, travelled through the red traffic signal, and headed immediately to the exit for Interstate 95 north.

32. Defendant Brown entered Interstate 95 north and was pursued by defendants Willis and Keightley to the exit for Moravia Road. During that portion of the pursuit the vehicles, as indicated by defendant Willis' dashcam display, reached speeds of up to 100 miles per hour. Additionally, defendants Brown and Willis made abrupt lane changes through heavy traffic at extremely high speeds.

33. As defendant Brown took the Moravia Road exit defendant Cummins, who was situated at a standstill on the shoulder of the roadway, joined the pursuit and in fact became the primary pursuit vehicle.

⁹ It does not appear that there was any effort to apprehend or approach the gentlemen who alighted the vehicle either at the time that he did so or by dispatching officers to the scene to speak with him. The gentleman was later identified as John Fisher. His identity was obtained as a result of his taking the initiative to contact 911, which he did at approximately 2:50 p.m., to inform them that he was the person who had jumped out of a vehicle that was fleeing police officers.

34. The pursuit continued on Moravia Road at speeds exceeding 100 miles per hour until defendant Brown took the exit to enter Interstate 895 north. At this point the pursuit had taken place over approximately three and one-half miles. It was also at this point that defendant Staigerwald, who had been situated on the shoulder of the road, joined the pursuit.

35. The pursuit continued, at this point involving defendants Willis, Keightley, Cummins and Staigerwald as pursuing officers, along Interstate 895 north to the exit for Maryland Route 43. This leg of the pursuit covered approximately eight and one-half miles with speeds reaching in excess of 180 miles per hour and was characterized by defendant Brown's vehicle coming perilously close to striking other vehicles on the roadway and by defendant Brown's vehicle utilizing the shoulder of the highway to pass other vehicles at extremely high speeds.

36. Upon reaching the top of the exit for Maryland Route 43 defendant Brown sped through the intersection, drove through a barrier that had been set up to cordon off the exit for 895 north, which was closed, and sped back onto 895. Defendant officers continued the pursuit at high speeds.

37. The pursuit continued for more than two and one-half more miles having re-entered Interstate 95 in heavy traffic conditions.

38. Eventually, the pursuit moved to the left shoulder of the highway at speeds in excess of 100 miles per hour.

39. At approximately the 69.8 mile marker defendant Brown's vehicle abruptly veered to the left, entering and crossing the median and ultimately entering the leftmost lane of Interstate 95 south where it collided head on with the vehicle containing Rolonda Johnson, Verlonda Johnson-Baker and Sonjia Johnson-Baker.

40. As a result of the collision Rolonda and Verlonda suffered serious injury. Sonjia suffered serious injuries that would ultimately result in her death.

COUNT I -- NEGLIGENCE
(Rolonda Johnson as to Michael Brown)

Plaintiff repeats, realleges and incorporates by reference each and every allegation set forth above and further states as follows:

41. At all times relevant hereto defendant Brown owed Plaintiff a duty to operate his motor vehicle in a reasonable fashion and with an appropriate level of care so as to avoid causing injury to other motorists on the roadway to include Plaintiff. That duty included a duty to adhere to the laws, rules and regulations then and there in effect, to maintain control of his vehicle and to avoid colliding.

42. Defendant Brown breached that duty by, *inter alia*, 1) operating his motor vehicle at exceedingly high speeds in violation of the rules of the road; 2) operating his vehicle on the shoulder of the highway, outside of marked travel lanes, in violation of the rules of the road; 3) failing to maintain control of his vehicle; 4) crossing into Plaintiff's lane of travel; 5) colliding with Plaintiff's vehicle and in other fashions.

43. As a direct and proximate result of defendant Brown's negligence, Plaintiff was caused to suffer injury to her person and property, said personal injury to include physical injury, pain and suffering, emotional distress, loss of enjoyment of life, loss of opportunity, permanent physical scarring, permanent physical impairment, medical expenses, past and future, lost wages, past and future, and other damages.

WHEREFORE, Plaintiff demands judgment against Defendant, jointly and severally, in an amount in excess of \$75,000.00, any award to include post judgment interest and costs of this action, and any other appropriate relief.

COUNT II -- NEGLIGENCE
(Verlonda Johnson-Baker as to Michael Brown)

Plaintiff repeats, realleges and incorporates by reference each and every allegation set forth above and further states as follows:

44. At all times relevant hereto defendant Brown owed Plaintiff a duty to operate his motor vehicle in a reasonable fashion and with an appropriate level of care so as to avoid causing injury to other motorists on the roadway to include Plaintiff. That duty

included a duty to adhere to the laws, rules and regulations then and there in effect, to maintain control of his vehicle and to avoid colliding.

45. Defendant Brown breached that duty by, *inter alia*, 1) operating his motor vehicle at exceedingly high speeds in violation of the rules of the road; 2) operating his vehicle on the shoulder of the highway, outside of marked travel lanes, in violation of the rules of the road; 3) failing to maintain control of his vehicle; 4) crossing into Plaintiff's lane of travel; 5) colliding with Plaintiff's vehicle and in other fashions.

46. As a direct and proximate result of defendant Brown's negligence, Plaintiff was caused to suffer injury to her person, said personal injury to include physical injury, pain and suffering, emotional distress, loss of enjoyment of life, loss of opportunity, permanent physical scarring, permanent physical impairment, medical expenses, past and future, lost wages, past and future, and other damages.

WHEREFORE, Plaintiff demands judgment against Defendant, jointly and severally, in an amount in excess of \$75,000.00, any award to include post judgment interest and costs of this action, and any other appropriate relief.

COUNT III -- NEGLIGENCE (SURVIVAL)
(Estate of Sonjia Johnson-Baker as to Michael Brown)

Plaintiff repeats, realleges and incorporates by reference each and every allegation set forth above and further states as follows:

47. At all times relevant hereto defendant Brown owed Sonjia Johnson-Baker a duty to operate his motor vehicle in a reasonable fashion and with an appropriate level of care so as to avoid causing injury to other motorists on the roadway to include Ms. Johnson-Baker. That duty included a duty to adhere to the laws, rules and regulations then and there in effect, to maintain control of his vehicle and to avoid colliding.

48. Defendant Brown breached that duty by, *inter alia*, 1) operating his motor vehicle at exceedingly high speeds in violation of the rules of the road; 2) operating his vehicle on the shoulder of the highway, outside of marked travel lanes, in violation of the

rules of the road; 3) failing to maintain control of his vehicle; 4) crossing into Ms. Johnson-Baker's lane of travel; 5) colliding with Ms. Johnson-Baker's vehicle and in other fashions.

49. As a direct and proximate result of defendant Brown's negligence, Ms. Johnson-Baker was caused to suffer grievous injury to her person, said personal injury to include physical injury, pain and suffering, emotional distress, loss of enjoyment of life, loss of opportunity, anticipation of death, death, medical expenses and funeral expenses.

WHEREFORE, Plaintiff demands judgment against Defendant, jointly and severally, in an amount in excess of \$75,000.00, any award to include post judgment interest and costs of this action, and any other appropriate relief.

COUNT IV -- GROSS NEGLIGENCE
(Rolonda Johnson as to Michael Brown)

Plaintiff repeats, realleges and incorporates by reference each and every allegation set forth above and further states as follows:

50. At all times relevant hereto defendant Brown owed Plaintiff a duty to operate his motor vehicle in a reasonable fashion and with an appropriate level of care so as to avoid causing injury to other motorists on the roadway to include Plaintiff. That duty included a duty to adhere to the laws, rules and regulations then and there in effect, to maintain control of his vehicle and to avoid colliding.

51. Throughout his attempt to evade police officers Mr. Brown drove his vehicle in a particularly reckless fashion. He fled for approximately fifteen miles during much of which he was traveling at speeds in excess of one hundred miles an hour and at times reaching speeds in excess of 180 miles per hour. He weaved in and out of traffic on multiple occasions nearly striking motorists as he sped by. He made abrupt and erratic lane changes and on more than one occasion utilized the shoulder of the roadway to pass motorists at exceedingly high speeds.

52. Defendant Brown's operation of his motor vehicle, as described *infra*, was consistent with a wanton and reckless disregard for the lives and rights of other human beings. Further, defendant Brown's actions, as described *infra*, constituted an intentional failure to perform a manifest duty in reckless disregard of the consequences as affecting the life or property of others, to include the Plaintiff, and implied a thoughtless disregard of the consequences of his actions without the exertion of any effort to avoid them.

53. The manner in which defendant Brown operated his motor vehicle, as described *infra*, constituted a breach of his duties to Plaintiff and was so reckless as to constitute gross negligence under the law.

54. As a direct and proximate result of defendant Brown's gross negligence, Plaintiff was caused to suffer injury to her person, said personal injury to include physical injury, pain and suffering, emotional distress, loss of enjoyment of life, loss of opportunity, permanent physical scarring, permanent physical impairment, medical expenses, past and future, lost wages, past and future, and other damages.

WHEREFORE, Plaintiff demands judgment against Defendant, jointly and severally, in an amount in excess of \$75,000.00, any award to include post judgment interest and costs of this action, and any other appropriate relief.

COUNT V -- GROSS NEGLIGENCE
(Verlonda Johnson-Baker as to Michael Brown)

Plaintiff repeats, realleges and incorporates by reference each and every allegation set forth above and further states as follows:

55. At all times relevant hereto defendant Brown owed Plaintiff a duty to operate his motor vehicle in a reasonable fashion and with an appropriate level of care so as to avoid causing injury to other motorists on the roadway to include Plaintiff. That duty included a duty to adhere to the laws, rules and regulations then and there in effect, to maintain control of his vehicle and to avoid colliding.

56. Throughout his attempt to evade police officers Mr. Brown drove his vehicle in a particularly reckless fashion. He fled for approximately fifteen miles during much of which he was traveling at speeds in excess of one hundred miles an hour and at times reaching speeds in excess of 130 miles per hour. He weaved in and out of traffic on multiple occasions nearly striking motorist as he sped by. He made abrupt and erratic lane changes and on more than one occasion utilized the shoulder of the roadway to pass motorist at exceedingly high speeds.

57. Defendant Brown's operation of his motor vehicle, as described *infra*, was consistent with a wanton and reckless disregard for the lives and rights of other human beings. Further, defendant Brown's actions, as described *infra*, constituted an intentional failure to perform a manifest duty in reckless disregard of the consequences as affecting the life or property of others, to include the Plaintiff, and implied a thoughtless disregard of the consequences of his actions without the exertion of any effort to avoid them.

58. The manner in which defendant Brown operated his motor vehicle, as described *infra*, constituted a breach of his duties to Plaintiff and was so reckless as to constitute gross negligence under the law.

59. As a direct and proximate result of defendant Brown's gross negligence, Plaintiff was caused to suffer injury to her person, said personal injury to include physical injury, pain and suffering, emotional distress, loss of enjoyment of life, loss of opportunity, permanent physical scarring, permanent physical impairment, medical expenses, past and future, lost wages, past and future, and other damages.

WHEREFORE, Plaintiff demands judgment against Defendant, jointly and severally, in an amount in excess of \$75,000.00, any award to include post judgment interest and costs of this action, and any other appropriate relief.

COUNT VI -- SURVIVAL (GROSS NEGLIGENCE)
(Estate of Sonjia Johnson-Baker as to Michael Brown)

Plaintiff repeats, realleges and incorporates by reference each and every allegation set forth above and further states as follows:

60. At all times relevant hereto defendant Brown owed Sonja Johnson-Baker a duty to operate his motor vehicle in a reasonable fashion and with an appropriate level of care so as to avoid causing injury to other motorists on the roadway to include Ms. Johnson-Baker. That duty included a duty to adhere to the laws, rules and regulations then and there in effect, to maintain control of his vehicle and to avoid colliding.

61. Throughout his attempt to evade police officers Mr. Brown drove his vehicle in a particularly reckless fashion. He fled for approximately fifteen miles during much of which he was traveling at speeds in excess of one hundred miles an hour and at times reaching speeds in excess of 130 miles per hour. He weaved in and out of traffic on multiple occasions nearly striking motorists as he sped by. He made abrupt and erratic lane changes and on more than one occasion utilized the shoulder of the roadway to pass motorists at exceedingly high speeds.

62. Defendant Brown's operation of his motor vehicle, as described *infra*, was consistent with a wanton and reckless disregard for the lives and rights of other human beings. Further, defendant Brown's actions, as described *infra*, constituted an intentional failure to perform a manifest duty in reckless disregard of the consequences as affecting the life or property of others, to include Ms. Johnson-Baker, and implied a thoughtless disregard of the consequences of his actions without the exertion of any effort to avoid them.

63. The manner in which defendant Brown operated his motor vehicle, as described *infra*, constituted a breach of his duties to Ms. Johnson-Baker and was so reckless as to constitute gross negligence under the law.

64. As a direct and proximate result of defendant Brown's gross negligence, Ms. Johnson-Baker was caused to suffer grievous injury to her person, said personal injury to

include physical injury, pain and suffering, emotional distress, loss of enjoyment of life, loss of opportunity, anticipation of death, death, medical expenses and funeral expenses.

WHEREFORE, Plaintiff demands judgment against Defendant, jointly and severally, in an amount in excess of \$75,000.00, any award to include post judgment interest and costs of this action, and any other appropriate relief.

COUNT VII -- MD. CODE ANN., TRANSP. § 19-103 (NEGLIGENCE)
(Rolonda Johnson as to State of Maryland)

Plaintiff repeats, realleges and incorporates by reference each and every allegation set forth above and further states as follows:

65. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald were operating motor vehicles that were emergency vehicles as defined by MD. CODE ANN., TRANSP. §§ 11-118 & 19-103.

66. Upon knowledge, information and belief at all times relevant hereto the vehicles operated by defendants Willis, Keightley, Cummins and Staigerwald were owned or leased by defendant State of Maryland.

67. Upon knowledge, information and belief at all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald were authorized operators of their respective vehicles engaged in the performance of an emergency service as defined in MD. CODE ANN., TRANSP. § 19-103(a).

68. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald owed Plaintiff a duty to operate their respective motor vehicles in a reasonable fashion and with an appropriate level of care so as to avoid causing injury to other motorists on the roadway to include Plaintiff. That duty included a duty to adhere to the laws, rules and regulations then and there in effect, to maintain control of their respective vehicles and to avoid colliding.

69. Further defendants Willis, Keightley, Cummins and Staigerwald owed others on the roadway, to include Plaintiff:

a. A duty of care as they set in motion a chain of events which they knew or should have known would lead to a third-party's injury either by the fleeing Mr. Brown or as a result of their efforts to stop Mr. Brown's vehicle¹⁰; and

b. A duty to drive with due regard for her safety.¹¹

70. Defendants Willis, Keightley, Cummins and Staigerwald each breached their duties to Plaintiff by, *inter alia*, initiating a high speed chase of defendant Brown at speeds well in excess of 100 miles per hour to include speeds in excess of 130 miles per hour, maintaining a high speed chase of defendant Brown after it became known to them that defendant Brown was operating his motor vehicle in an erratic fashion, maintaining a high speed chase of defendant Brown after it became known to them that Mr. Brown was making abrupt lane changes, swerving in and out of traffic and otherwise operating his motor vehicle in a manner that indicated he was likely to be involved in or otherwise cause a traffic collision that would result in serious injury or death to others on the roadway and operating their own motor vehicles in a similar fashion as defendant Brown, the same indicating a lack of due regard for the safety of others on the roadway to include Plaintiff.

71. As a direct and proximate result of defendants Willis', Keightley's, Cummins' and Staigerwald's negligence, Plaintiff was caused to suffer injury to her person, said personal injury to include physical injury, pain and suffering, emotional distress, loss of enjoyment of life, loss of opportunity, permanent physical scarring, permanent physical impairment, medical expenses, past and future, lost wages, past and future, and other damages.

72. Pursuant to MD CODE ANN., § 19-103 defendant State of Maryland, as owner or lessee of the emergency vehicles involved, is liable for the negligence of defendants Willis, Keightley, Cummins and Staigerwald.

¹⁰ *Boyer v. State of Maryland*, et al. 323 Md. 558, 594 A.2d 121 (1991)

¹¹ MD. CODE ANN., TRANSP. § 21-106

WHEREFORE, Plaintiff demands judgment against Defendant, jointly and severally, in an amount in excess of \$75,000.00, any award to include post judgment interest and costs of this action, and any other appropriate relief.

**COUNT VIII -- MD. CODE ANN., TRANSP. § 19-103 (NEGLIGENCE)
(Verlonda Johnson-Baker as to State of Maryland)**

Plaintiff repeats, realleges and incorporates by reference each and every allegation set forth above and further states as follows:

73. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald were operating motor vehicles that were emergency vehicles as defined by MD. CODE ANN., TRANSP. §§ 11-118 & 19-103.

74. Upon knowledge, information and belief at all times relevant hereto the vehicles operated by defendants Willis, Keightley, Cummins and Staigerwald were owned or leased by defendant State of Maryland.

75. Upon knowledge, information and belief at all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald were authorized operators of their respective vehicles engaged in the performance of an emergency service as defined in MD. CODE ANN., TRANSP. § 19-103(a).

76. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald owed Plaintiff a duty to operate their respective motor vehicles in a reasonable fashion and with an appropriate level of care so as to avoid causing injury to other motorists on the roadway to include Plaintiff. That duty included a duty to adhere to the laws, rules and regulations then and there in effect, to maintain control of their respective vehicles and to avoid colliding.

77. Further defendants Willis, Keightley, Cummins and Staigerwald owed others on the roadway, to include Plaintiff:

a. A duty of care as they set in motion a chain of events which they knew or should have known would lead to a third-party's injury either by the fleeing Mr. Brown or as a result of their efforts to stop Mr. Brown's vehicle; and

b. A duty to drive with due regard for her safety.

78. Defendants Willis, Keightley, Cummins and Staigerwald each breached their duties to Plaintiff by, *inter alia*, initiating a high speed chase of defendant Brown at speeds well in excess of 100 miles per hour to include speeds in excess of 130 miles per hour, maintaining a high speed chase of defendant Brown after it became known to them that defendant Brown was operating his motor vehicle in an erratic fashion, maintaining a high speed chase of defendant Brown after it became known to them that Mr. Brown was making abrupt lane changes, swerving in and out of traffic and otherwise operating his motor vehicle in a manner that indicated he was likely to be involved in or otherwise cause a traffic collision that would result in serious injury or death to others on the roadway and operating their own motor vehicles in a similar fashion as defendant Brown, the same indicating a lack of due regard for the safety of others on the roadway to include Plaintiff.

79. As a direct and proximate result of defendants Willis', Keightley's, Cummins' and Staigerwald's negligence, Plaintiff was caused to suffer injury to her person, said personal injury to include physical injury, pain and suffering, emotional distress, loss of enjoyment of life, loss of opportunity, permanent physical scarring, permanent physical impairment, medical expenses, past and future, lost wages, past and future, and other damages.

80. Pursuant to MD CODE ANN., § 19-103 defendant State of Maryland, as owner or lessee of the emergency vehicles involved, is liable for the negligence of defendants Willis, Keightley, Cummins and Staigerwald.

WHEREFORE, Plaintiff demands judgment against Defendant, jointly and severally, in an amount in excess of \$75,000.00, any award to include post judgment interest and costs of this action, and any other appropriate relief.

**COUNT IX -- MD. CODE ANN., TRANSP. § 19-103 (NEGLIGENCE)
(Estate of Sonjia Johnson-Baker as to State of Maryland)**

Plaintiff repeats, realleges and incorporates by reference each and every allegation set forth above and further states as follows:

81. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald were operating motor vehicles that were emergency vehicles as defined by MD. CODE ANN., TRANSP. §§ 11-118 & 19-103.

82. Upon knowledge, information and belief at all times relevant hereto the vehicles operated by defendants Willis, Keightley, Cummins and Staigerwald were owned or leased by defendant State of Maryland.

83. Upon knowledge, information and belief at all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald were authorized operators of their respective vehicles engaged in the performance of an emergency service as defined in MD. CODE ANN., TRANSP. § 19-103(a).

84. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald owed Plaintiff a duty to operate their respective motor vehicles in a reasonable fashion and with an appropriate level of care so as to avoid causing injury to other motorists on the roadway to include Plaintiff. That duty included a duty to adhere to the laws, rules and regulations then and there in effect, to maintain control of their respective vehicles and to avoid colliding.

85. Further defendants Willis, Keightley, Cummins and Staigerwald owed others on the roadway, to include Ms. Johnson-Baker:

a. A duty of care as they set in motion a chain of events which they knew or should have known would lead to a third-party's injury either by the fleeing Mr. Brown or as a result of their efforts to stop Mr. Brown's vehicle; and

b. A duty to drive with due regard for her safety.

86. Defendants Willis, Keightley, Cummins and Staigerwald each breached their duties to Ms. Johnson-Baker by, *inter alia*, initiating a high speed chase of defendant Brown at speeds well in excess of 100 miles per hour to include speeds in excess of 130 miles per hour, maintaining a high speed chase of defendant Brown after it became known to them that defendant Brown was operating his motor vehicle in an erratic fashion, maintaining a high speed chase of defendant Brown after it became known to them that Mr. Brown was making abrupt lane changes, swerving in and out of traffic and otherwise operating his motor vehicle in a manner that indicated he was likely to be involved in or otherwise cause a traffic collision that would result in serious injury or death to others on the roadway and operating their own motor vehicles in a similar fashion as defendant Brown, the same indicating a lack of due regard for the safety of others on the roadway to include Plaintiff.

87. As a direct and proximate result of defendants Willis', Keightley's, Cummins' and Staigerwald's negligence Ms. Johnson-Baker was caused to suffer grievous injury to her person, said personal injury to include physical injury, pain and suffering, emotional distress, loss of enjoyment of life, loss of opportunity, anticipation of death, death, medical expenses and funeral expenses.

88. Pursuant to MD CODE ANN., § 19-103 defendant State of Maryland, as owner or lessee of the emergency vehicles involved, is liable for the negligence of defendants Willis, Keightley, Cummins and Staigerwald.

WHEREFORE, Plaintiff demands judgment against Defendant, jointly and severally, in an amount in excess of \$75,000.00, any award to include post judgment interest and costs of this action, and any other appropriate relief.

COUNT X -- *RESPONDEAT SUPERIOR* (NEGLIGENCE)
(Rolonda Johnson as to State of Maryland)

Plaintiff repeats, realleges and incorporates by reference each and every allegation set forth above and further states as follows:

89. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald were employees of the State of Maryland acting within the scope of their respective employment.

90. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald owed Plaintiff a duty to operate their respective motor vehicles in a reasonable fashion and with an appropriate level of care so as to avoid causing injury to other motorists on the roadway to include Plaintiff. That duty included a duty to adhere to the laws, rules and regulations then and there in effect, to maintain control of their respective vehicles and to avoid colliding.

91. Further defendants Willis, Keightley, Cummins and Staigerwald owed others on the roadway, to include Plaintiff:

a. A duty of care as they set in motion a chain of events which they knew or should have known would lead to a third-party's injury either by the fleeing Mr. Brown or as a result of their efforts to stop Mr. Brown's vehicle; and

b. A duty to drive with due regard for her safety.

92. Defendants Willis, Keightley, Cummins and Staigerwald each breached their duties to Plaintiff by, *inter alia*, initiating a high speed chase of defendant Brown at speeds well in excess of 100 miles per hour to include speeds in excess of 130 miles per hour, maintaining a high speed chase of defendant Brown after it became known to them that defendant Brown was operating his motor vehicle in an erratic fashion, maintaining a high speed chase of defendant Brown after it became known to them that Mr. Brown was making abrupt lane changes, swerving in and out of traffic and otherwise operating his motor vehicle in a manner that indicated he was likely to be involved in or otherwise cause a traffic collision that would result in serious injury or death to others on the roadway and operating their own motor vehicles in a similar fashion as defendant Brown, the same indicating a lack of due regard for the safety of others on the roadway to include Plaintiff.

93. As a direct and proximate result of defendants Willis', Keightley's, Cummins' and Staigerwald's negligence, Plaintiff was caused to suffer injury to her person, said personal injury to include physical injury, pain and suffering, emotional distress, loss of enjoyment of life, loss of opportunity, permanent physical scarring, permanent physical impairment, medical expenses, past and future, lost wages, past and future, and other damages.

94. As employer of defendants Willis, Keightley, Cummins and Staigerwald defendant State of Maryland is liable for their negligence.

WHEREFORE, Plaintiff demands judgment against Defendant, jointly and severally, in an amount in excess of \$75,000.00, any award to include post judgment interest and costs of this action, and any other appropriate relief.

COUNT XI -- *RESPONDEAT SUPERIOR* (NEGLIGENCE)
(Verlonda Johnson-Baker as to State of Maryland)

Plaintiff repeats, realleges and incorporates by reference each and every allegation set forth above and further states as follows:

95. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald were employees of the State of Maryland acting within the scope of their respective employment.

96. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald owed Plaintiff a duty to operate their respective motor vehicles in a reasonable fashion and with an appropriate level of care so as to avoid causing injury to other motorists on the roadway to include Plaintiff. That duty included a duty to adhere to the laws, rules and regulations then and there in effect, to maintain control of their respective vehicles and to avoid colliding.

97. Further defendants Willis, Keightley, Cummins and Staigerwald owed others on the roadway, to include Plaintiff:

a. A duty of care as they set in motion a chain of events which they knew or should have known would lead to a third-party's injury either by the fleeing Mr. Brown or as a result of their efforts to stop Mr. Brown's vehicle; and

b. A duty to drive with due regard for her safety.

98. Defendants Willis, Keightley, Cummins and Staigerwald each breached their duties to Plaintiff by, *inter alia*, initiating a high speed chase of defendant Brown at speeds well in excess of 100 miles per hour to include speeds in excess of 130 miles per hour, maintaining a high speed chase of defendant Brown after it became known to them that defendant Brown was operating his motor vehicle in an erratic fashion, maintaining a high speed chase of defendant Brown after it became known to them that Mr. Brown was making abrupt lane changes, swerving in and out of traffic and otherwise operating his motor vehicle in a manner that indicated he was likely to be involved in or otherwise cause a traffic collision that would result in serious injury or death to others on the roadway and operating their own motor vehicles in a similar fashion as defendant Brown, the same indicating a lack of due regard for the safety of others on the roadway to include Plaintiff.

99. As a direct and proximate result of defendants Willis', Keightley's, Cummins' and Staigerwald's negligence, Plaintiff was caused to suffer injury to her person, said personal injury to include physical injury, pain and suffering, emotional distress, loss of enjoyment of life, loss of opportunity, permanent physical scarring, permanent physical impairment, medical expenses, past and future, lost wages, past and future, and other damages.

100. As employer of defendants Willis, Keightley, Cummins and Staigerwald defendant State of Maryland is liable for their negligence.

WHEREFORE, Plaintiff demands judgment against Defendant, jointly and severally, in an amount in excess of \$75,000.00, any award to include post judgment interest and costs of this action, and any other appropriate relief.

COUNT XII -- *RESPONDEAT SUPERIOR* (NEGLIGENCE)

(Estate of Sonjia Johnson-Baker as to State of Maryland)

Plaintiff repeats, realleges and incorporates by reference each and every allegation set forth above and further states as follows:

101. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald were employees of the State of Maryland acting within the scope of their respective employment.

102. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald owed Ms. Johnson a duty to operate their respective motor vehicles in a reasonable fashion and with an appropriate level of care so as to avoid causing injury to other motorist on the roadway to include Plaintiff. That duty included a duty to adhere to the laws, rules and regulations then and there in effect, to maintain control of their respective vehicles and to avoid colliding.

103. Further defendants Willis, Keightley, Cummins and Staigerwald owed others on the roadway, to include Plaintiff:

a. A duty of care as they set in motion a chain of events which they knew or should have known would lead to a third-party's injury either by the fleeing Mr. Brown or as a result of their efforts to stop Mr. Brown's vehicle; and

b. A duty to drive with due regard for her safety.

104. Defendants Willis, Keightley, Cummins and Staigerwald each breached their duties to Ms. Johnson by, *inter alia*, initiating a high speed chase of defendant Brown at speeds well in excess of 100 miles per hour to include speeds in excess of 130 miles per hour, maintaining a high speed chase of defendant Brown after it became known to them that defendant Brown was operating his motor vehicle in an erratic fashion, maintaining a high speed chase of defendant Brown after it became known to them that Mr. Brown was making abrupt lane changes, swerving in and out of traffic and otherwise operating his motor vehicle in a manner that indicated he was likely to be involved in or otherwise cause a traffic collision that would result in serious injury or death to others on the roadway and

operating their own motor vehicles in a similar fashion as defendant Brown, the same indicating a lack of due regard for the safety of others on the roadway to include Plaintiff.

105. As a direct and proximate result of defendants Willis', Keightley's, Cummins' and Staigerwald's negligence Ms. Johnson-Baker was caused to suffer grievous injury to her person, said personal injury to include physical injury, pain and suffering, emotional distress, loss of enjoyment of life, loss of opportunity, anticipation of death, death, medical expenses and funeral expenses.

106. As employer of defendants Willis, Keightley, Cummins and Staigerwald defendant State of Maryland is liable for their negligence.

WHEREFORE, Plaintiff demands judgment against Defendant, jointly and severally, in an amount in excess of \$75,000.00, any award to include post judgment interest and costs of this action, and any other appropriate relief.

**COUNT XIII -- MD. CODE ANN., TRANSP. § 19-103 (NEGLIGENCE)
(Rolonda Johnson as to Maryland Department of Transportation)**

Plaintiff repeats, realleges and incorporates by reference each and every allegation set forth above and further states as follows:

107. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald were operating motor vehicles that were emergency vehicles as defined by MD. CODE ANN., TRANSP. §§ 11-118 & 19-103.

108. Upon knowledge, information and belief at all times relevant hereto the vehicles operated by defendants Willis, Keightley, Cummins and Staigerwald were owned or leased by defendant Maryland Department of Transportation.

109. Upon knowledge, information and belief at all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald were authorized operators of their respective vehicles engaged in the performance of an emergency service as defined in MD. CODE ANN., TRANSP. § 19-103(a).

110. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald owed Plaintiff a duty to operate their respective motor vehicles in a reasonable fashion and with an appropriate level of care so as to avoid causing injury to other motorists on the roadway to include Plaintiff. That duty included a duty to adhere to the laws, rules and regulations then and there in effect, to maintain control of their respective vehicles and to avoid colliding.

111. Further defendants Willis, Keightley, Cummins and Staigerwald owed others on the roadway, to include Plaintiff:

- a. A duty of care as they set in motion a chain of events which they knew or should have known would lead to a third-party's injury either by the fleeing Mr. Brown or as a result of their efforts to stop Mr. Brown's vehicle¹²; and
- b. A duty to drive with due regard for her safety.¹³

112. Defendants Willis, Keightley, Cummins and Staigerwald each breached their duties to Plaintiff by, *inter alia*, initiating a high speed chase of defendant Brown at speeds well in excess of 100 miles per hour to include speeds in excess of 130 miles per hour, maintaining a high speed chase of defendant Brown after it became known to them that defendant Brown was operating his motor vehicle in an erratic fashion, maintaining a high speed chase of defendant Brown after it became known to them that Mr. Brown was making abrupt lane changes, swerving in and out of traffic and otherwise operating his motor vehicle in a manner that indicated he was likely to be involved in or otherwise cause a traffic collision that would result in serious injury or death to others on the roadway and operating their own motor vehicles in a similar fashion as defendant Brown, the same indicating a lack of due regard for the safety of others on the roadway to include Plaintiff.

113. As a direct and proximate result of defendants Willis', Keightley's, Cummins' and Staigerwald's negligence, Plaintiff was caused to suffer injury to her person, said

¹² *Boyer v. State of Maryland*, et al. 323 Md. 558, 594 A.2d 121 (1991)

¹³ MD. CODE ANN., TRANSP. § 21-106

personal injury to include physical injury, pain and suffering, emotional distress, loss of enjoyment of life, loss of opportunity, permanent physical scarring, permanent physical impairment, medical expenses, past and future, lost wages, past and future, and other damages.

114. Pursuant to MD CODE ANN., § 19-103 defendant Maryland Department of Transportation, as owner or lessee of the emergency vehicles involved, is liable for the negligence of defendants Willis, Keightley, Cummins and Staigerwald.

WHEREFORE, Plaintiff demands judgment against Defendant, jointly and severally, in an amount in excess of \$75,000.00, any award to include post judgment interest and costs of this action, and any other appropriate relief.

**COUNT XIV -- MD. CODE ANN., TRANSP. § 19-103 (NEGLIGENCE)
(Verlonda Johnson-Baker as to Maryland Department of Transportation)**

Plaintiff repeats, realleges and incorporates by reference each and every allegation set forth above and further states as follows:

115. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald were operating motor vehicles that were emergency vehicles as defined by MD. CODE ANN., TRANSP. §§ 11-118 & 19-103.

116. Upon knowledge, information and belief at all times relevant hereto the vehicles operated by defendants Willis, Keightley, Cummins and Staigerwald were owned or leased by defendant Maryland Department of Transportation.

117. Upon knowledge, information and belief at all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald were authorized operators of their respective vehicles engaged in the performance of an emergency service as defined in MD. CODE ANN., TRANSP. § 19-103(a).

118. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald owed Plaintiff a duty to operate their respective motor vehicles in a reasonable fashion and with an appropriate level of care so as to avoid causing injury to other motorists

on the roadway to include Plaintiff. That duty included a duty to adhere to the laws, rules and regulations then and there in effect, to maintain control of their respective vehicles and to avoid colliding.

119. Further defendants Willis, Keightley, Cummins and Staigerwald owed others on the roadway, to include Plaintiff:

- a. A duty of care as they set in motion a chain of events which they knew or should have known would lead to a third-party's injury either by the fleeing Mr. Brown or as a result of their efforts to stop Mr. Brown's vehicle; and
- b. A duty to drive with due regard for her safety.

120. Defendants Willis, Keightley, Cummins and Staigerwald each breached their duties to Plaintiff by, *inter alia*, initiating a high speed chase of defendant Brown at speeds well in excess of 100 miles per hour to include speeds in excess of 130 miles per hour, maintaining a high speed chase of defendant Brown after it became known to them that defendant Brown was operating his motor vehicle in an erratic fashion, maintaining a high speed chase of defendant Brown after it became known to them that Mr. Brown was making abrupt lane changes, swerving in and out of traffic and otherwise operating his motor vehicle in a manner that indicated he was likely to be involved in or otherwise cause a traffic collision that would result in serious injury or death to others on the roadway and operating their own motor vehicles in a similar fashion as defendant Brown, the same indicating a lack of due regard for the safety of others on the roadway to include Plaintiff.

121. As a direct and proximate result of defendants Willis', Keightley's, Cummins' and Staigerwald's negligence, Plaintiff was caused to suffer injury to her person, said personal injury to include physical injury, pain and suffering, emotional distress, loss of enjoyment of life, loss of opportunity, permanent physical scarring, permanent physical impairment, medical expenses, past and future, lost wages, past and future, and other damages.

122. Pursuant to MD CODE ANN., § 19-103 defendant Maryland Department of Transportation, as owner or lessee of the emergency vehicles involved, is liable for the negligence of defendants Willis, Keightley, Cummins and Staigerwald.

WHEREFORE, Plaintiff demands judgment against Defendant, jointly and severally, in an amount in excess of \$75,000.00, any award to include post judgment interest and costs of this action, and any other appropriate relief.

**COUNT XV -- MD. CODE ANN., TRANSP. § 19-103 (NEGLIGENCE)
(Estate of Sonjia Johnson-Baker as to Maryland Department of Transportation)**

Plaintiff repeats, realleges and incorporates by reference each and every allegation set forth above and further states as follows:

123. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald were operating motor vehicles that were emergency vehicles as defined by MD. CODE ANN., TRANSP. §§ 11-118 & 19-103.

124. Upon knowledge, information and belief at all times relevant hereto the vehicles operated by defendants Willis, Keightley, Cummins and Staigerwald were owned or leased by defendant Maryland Department of Transportation.

125. Upon knowledge, information and belief at all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald were authorized operators of their respective vehicles engaged in the performance of an emergency service as defined in MD. CODE ANN., TRANSP. § 19-103(a).

126. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald owed Plaintiff a duty to operate their respective motor vehicles in a reasonable fashion and with an appropriate level of care so as to avoid causing injury to other motorist on the roadway to include Plaintiff. That duty included a duty to adhere to the laws, rules and regulations then and there in effect, to maintain control of their respective vehicles and to avoid colliding.

127. Further defendants Willis, Keightley, Cummins and Staigerwald owed others on the roadway, to include Ms. Johnson-Baker:

- a. A duty of care as they set in motion a chain of events which they knew or should have known would lead to a third-party's injury either by the fleeing Mr. Brown or as a result of their efforts to stop Mr. Brown's vehicle; and
- b. A duty to drive with due regard for her safety.

128. Defendants Willis, Keightley, Cummins and Staigerwald each breached their duties to Ms. Johnson-Baker by, *inter alia*, initiating a high speed chase of defendant Brown at speeds well in excess of 100 miles per hour to include speeds in excess of 130 miles per hour, maintaining a high speed chase of defendant Brown after it became known to them that defendant Brown was operating his motor vehicle in an erratic fashion, maintaining a high speed chase of defendant Brown after it became known to them that Mr. Brown was making abrupt lane changes, swerving in and out of traffic and otherwise operating his motor vehicle in a manner that indicated he was likely to be involved in or otherwise cause a traffic collision that would result in serious injury or death to others on the roadway and operating their own motor vehicles in a similar fashion as defendant Brown, the same indicating a lack of due regard for the safety of others on the roadway to include Plaintiff.

129. As a direct and proximate result of defendants Willis', Keightley's, Cummins' and Staigerwald's negligence Ms. Johnson-Baker was caused to suffer grievous injury to her person, said personal injury to include physical injury, pain and suffering, emotional distress, loss of enjoyment of life, loss of opportunity, anticipation of death, death, medical expenses and funeral expenses.

130. Pursuant to MD CODE ANN., § 19-103 defendant Maryland Department of Transportation, as owner or lessee of the emergency vehicles involved, is liable for the negligence of defendants Willis, Keightley, Cummins and Staigerwald.

WHEREFORE, Plaintiff demands judgment against Defendant, jointly and severally, in an amount in excess of \$75,000.00, any award to include post judgment interest and costs of this action, and any other appropriate relief.

COUNT XVI -- *RESPONDEAT SUPERIOR* (NEGLIGENCE)
(Rolonda Johnson as to Maryland Department of Transportation)

Plaintiff repeats, realleges and incorporates by reference each and every allegation set forth above and further states as follows:

131. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald were employees of the Maryland Department of Transportation acting within the scope of their respective employment.

132. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald owed Plaintiff a duty to operate their respective motor vehicles in a reasonable fashion and with an appropriate level of care so as to avoid causing injury to other motorists on the roadway to include Plaintiff. That duty included a duty to adhere to the laws, rules and regulations then and there in effect, to maintain control of their respective vehicles and to avoid colliding.

133. Further defendants Willis, Keightley, Cummins and Staigerwald owed others on the roadway, to include Plaintiff:

a. A duty of care as they set in motion a chain of events which they knew or should have known would lead to a third-party's injury either by the fleeing Mr. Brown or as a result of their efforts to stop Mr. Brown's vehicle; and

b. A duty to drive with due regard for her safety.

134. Defendants Willis, Keightley, Cummins and Staigerwald each breached their duties to Plaintiff by, *inter alia*, initiating a high speed chase of defendant Brown at speeds well in excess of 100 miles per hour to include speeds in excess of 130 miles per hour, maintaining a high speed chase of defendant Brown after it became known to them that defendant Brown was operating his motor vehicle in an erratic fashion, maintaining a high

speed chase of defendant Brown after it became known to them that Mr. Brown was making abrupt lane changes, swerving in and out of traffic and otherwise operating his motor vehicle in a manner that indicated he was likely to be involved in or otherwise cause a traffic collision that would result in serious injury or death to others on the roadway and operating their own motor vehicles in a similar fashion as defendant Brown, the same indicating a lack of due regard for the safety of others on the roadway to include Plaintiff.

135. As a direct and proximate result of defendants Willis', Keightley's, Cummins' and Staigerwald's negligence, Plaintiff was caused to suffer injury to her person, said personal injury to include physical injury, pain and suffering, emotional distress, loss of enjoyment of life, loss of opportunity, permanent physical scarring, permanent physical impairment, medical expenses, past and future, lost wages, past and future, and other damages.

136. As employer of defendants Willis, Keightley, Cummins and Staigerwald defendant Maryland Department of Transportation is liable for their negligence.

WHEREFORE, Plaintiff demands judgment against Defendant, jointly and severally, in an amount in excess of \$75,000.00, any award to include post judgment interest and costs of this action, and any other appropriate relief.

COUNT XVII -- *RESPONDEAT SUPERIOR* (NEGLIGENCE)
(Verlonda Johnson-Baker as to Maryland Department of Transportation)

Plaintiff repeats, realleges and incorporates by reference each and every allegation set forth above and further states as follows:

137. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald were employees of the Maryland Department of Transportation acting within the scope of their respective employment.

138. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald owed Plaintiff a duty to operate their respective motor vehicles in a reasonable fashion and with an appropriate level of care so as to avoid causing injury to other motorists

on the roadway to include Plaintiff. That duty included a duty to adhere to the laws, rules and regulations then and there in effect, to maintain control of their respective vehicles and to avoid colliding.

189. Further defendants Willis, Keightley, Cummins and Staigerwald owed others on the roadway, to include Plaintiff:

- a. A duty of care as they set in motion a chain of events which they knew or should have known would lead to a third-party's injury either by the fleeing Mr. Brown or as a result of their efforts to stop Mr. Brown's vehicle; and
- b. A duty to drive with due regard for her safety.

140. Defendants Willis, Keightley, Cummins and Staigerwald each breached their duties to Plaintiff by, *inter alia*, initiating a high speed chase of defendant Brown at speeds well in excess of 100 miles per hour to include speeds in excess of 130 miles per hour, maintaining a high speed chase of defendant Brown after it became known to them that defendant Brown was operating his motor vehicle in an erratic fashion, maintaining a high speed chase of defendant Brown after it became known to them that Mr. Brown was making abrupt lane changes, swerving in and out of traffic and otherwise operating his motor vehicle in a manner that indicated he was likely to be involved in or otherwise cause a traffic collision that would result in serious injury or death to others on the roadway and operating their own motor vehicles in a similar fashion as defendant Brown, the same indicating a lack of due regard for the safety of others on the roadway to include Plaintiff.

141. As a direct and proximate result of defendants Willis', Keightley's, Cummins' and Staigerwald's negligence, Plaintiff was caused to suffer injury to her person, said personal injury to include physical injury, pain and suffering, emotional distress, loss of enjoyment of life, loss of opportunity, permanent physical scarring, permanent physical impairment, medical expenses, past and future, lost wages, past and future, and other damages.

142. As employer of defendants Willis, Keightley, Cummins and Staigerwald defendant Maryland Department of Transportation is liable for their negligence.

WHEREFORE, Plaintiff demands judgment against Defendant, jointly and severally, in an amount in excess of \$75,000.00, any award to include post judgment interest and costs of this action, and any other appropriate relief.

COUNT XVIII -- *RESPONDEAT SUPERIOR* (NEGLIGENCE)
(Estate of Sonja Johnson-Baker as to Maryland Department of Transportation)

Plaintiff repeats, realleges and incorporates by reference each and every allegation set forth above and further states as follows:

143. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald were employees of the Maryland Department of Transportation acting within the scope of their respective employment.

144. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald owed Ms. Johnson a duty to operate their respective motor vehicles in a reasonable fashion and with an appropriate level of care so as to avoid causing injury to other motorist on the roadway to include Plaintiff. That duty included a duty to adhere to the laws, rules and regulations then and there in effect, to maintain control of their respective vehicles and to avoid colliding.

145. Further defendants Willis, Keightley, Cummins and Staigerwald owed others on the roadway, to include Plaintiff:

a. A duty of care as they set in motion a chain of events which they knew or should have known would lead to a third-party's injury either by the fleeing Mr. Brown or as a result of their efforts to stop Mr. Brown's vehicle; and

b. A duty to drive with due regard for her safety.

146. Defendants Willis, Keightley, Cummins and Staigerwald each breached their duties to Ms. Johnson by, *inter alia*, initiating a high speed chase of defendant Brown at speeds well in excess of 100 miles per hour to include speeds in excess of 130 miles per

hour, maintaining a high speed chase of defendant Brown after it became known to them that defendant Brown was operating his motor vehicle in an erratic fashion, maintaining a high speed chase of defendant Brown after it became known to them that Mr. Brown was making abrupt lane changes, swerving in and out of traffic and otherwise operating his motor vehicle in a manner that indicated he was likely to be involved in or otherwise cause a traffic collision that would result in serious injury or death to others on the roadway and operating their own motor vehicles in a similar fashion as defendant Brown, the same indicating a lack of due regard for the safety of others on the roadway to include Plaintiff.

147. As a direct and proximate result of defendants Willis', Keightley's, Cummins' and Staigerwald's negligence Ms. Johnson-Baker was caused to suffer grievous injury to her person, said personal injury to include physical injury, pain and suffering, emotional distress, loss of enjoyment of life, loss of opportunity, anticipation of death, death, medical expenses and funeral expenses.

148. As employer of defendants Willis, Keightley, Cummins and Staigerwald defendant Maryland Department of Transportation is liable for their negligence.

WHEREFORE, Plaintiff demands judgment against Defendant, jointly and severally, in an amount in excess of \$75,000.00, any award to include post judgment interest and costs of this action, and any other appropriate relief.

COUNT XIX -- MD. CODE ANN., TRANSP. § 19-103 (NEGLIGENCE)
(Rolonda Johnson as to Maryland Transportation Authority)

Plaintiff repeats, realleges and incorporates by reference each and every allegation set forth above and further states as follows:

149. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald were operating motor vehicles that were emergency vehicles as defined by MD. CODE ANN., TRANSP. §§ 11-118 & 19-103.

150. Upon knowledge, information and belief at all times relevant hereto the vehicles operated by defendants Willis, Keightley, Cummins and Staigerwald were owned or leased by defendant Maryland Transportation Authority.

151. Upon knowledge, information and belief at all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald were authorized operators of their respective vehicles engaged in the performance of an emergency service as defined in MD. CODE ANN., TRANSP. § 19-103(a).

152. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald owed Plaintiff a duty to operate their respective motor vehicles in a reasonable fashion and with an appropriate level of care so as to avoid causing injury to other motorists on the roadway to include Plaintiff. That duty included a duty to adhere to the laws, rules and regulations then and there in effect, to maintain control of their respective vehicles and to avoid colliding.

153. Further defendants Willis, Keightley, Cummins and Staigerwald owed others on the roadway, to include Plaintiff:

- a. A duty of care as they set in motion a chain of events which they knew or should have known would lead to a third-party's injury either by the fleeing Mr. Brown or as a result of their efforts to stop Mr. Brown's vehicle¹⁴; and
- b. A duty to drive with due regard for her safety.¹⁵

154. Defendants Willis, Keightley, Cummins and Staigerwald each breached their duties to Plaintiff by, *inter alia*, initiating a high speed chase of defendant Brown at speeds well in excess of 100 miles per hour to include speeds in excess of 130 miles per hour, maintaining a high speed chase of defendant Brown after it became known to them that defendant Brown was operating his motor vehicle in an erratic fashion, maintaining a high speed chase of defendant Brown after it became known to them that Mr. Brown was

¹⁴ *Boyer v. State of Maryland*, et al. 323 Md. 558, 594 A.2d 121 (1991)

¹⁵ MD. CODE ANN., TRANSP. § 21-106

making abrupt lane changes, swerving in and out of traffic and otherwise operating his motor vehicle in a manner that indicated he was likely to be involved in or otherwise cause a traffic collision that would result in serious injury or death to others on the roadway and operating their own motor vehicles in a similar fashion as defendant Brown, the same indicating a lack of due regard for the safety of others on the roadway to include Plaintiff.

155. As a direct and proximate result of defendants Willis', Keightley's, Cummins' and Staigerwald's negligence, Plaintiff was caused to suffer injury to her person, said personal injury to include physical injury, pain and suffering, emotional distress, loss of enjoyment of life, loss of opportunity, permanent physical scarring, permanent physical impairment, medical expenses, past and future, lost wages, past and future, and other damages.

156. Pursuant to MD CODE ANN., § 19-103 defendant Maryland Transportation Authority, as owner or lessee of the emergency vehicles involved, is liable for the negligence of defendants Willis, Keightley, Cummins and Staigerwald.

WHEREFORE, Plaintiff demands judgment against Defendant, jointly and severally, in an amount in excess of \$75,000.00, any award to include post judgment interest and costs of this action, and any other appropriate relief.

**COUNT XX -- MD. CODE ANN., TRANSP. § 19-103 (NEGLIGENCE)
(Verlonda Johnson-Baker as to Maryland Transportation Authority)**

Plaintiff repeats, realleges and incorporates by reference each and every allegation set forth above and further states as follows:

157. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald were operating motor vehicles that were emergency vehicles as defined by MD. CODE ANN., TRANSP. §§ 11-118 & 19-103.

158. Upon knowledge, information and belief at all times relevant hereto the vehicles operated by defendants Willis, Keightley, Cummins and Staigerwald were owned or leased by defendant Maryland Transportation Authority.

159. Upon knowledge, information and belief at all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald were authorized operators of their respective vehicles engaged in the performance of an emergency service as defined in MD. CODE ANN., TRANSP. § 19-103(a).

160. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald owed Plaintiff a duty to operate their respective motor vehicles in a reasonable fashion and with an appropriate level of care so as to avoid causing injury to other motorists on the roadway to include Plaintiff. That duty included a duty to adhere to the laws, rules and regulations then and there in effect, to maintain control of their respective vehicles and to avoid colliding.

161. Further defendants Willis, Keightley, Cummins and Staigerwald owed others on the roadway, to include Plaintiff:

- a. A duty of care as they set in motion a chain of events which they knew or should have known would lead to a third-party's injury either by the fleeing Mr. Brown or as a result of their efforts to stop Mr. Brown's vehicle; and
- b. A duty to drive with due regard for her safety.

162. Defendants Willis, Keightley, Cummins and Staigerwald each breached their duties to Plaintiff by, *inter alia*, initiating a high speed chase of defendant Brown at speeds well in excess of 100 miles per hour to include speeds in excess of 130 miles per hour, maintaining a high speed chase of defendant Brown after it became known to them that defendant Brown was operating his motor vehicle in an erratic fashion, maintaining a high speed chase of defendant Brown after it became known to them that Mr. Brown was making abrupt lane changes, swerving in and out of traffic and otherwise operating his motor vehicle in a manner that indicated he was likely to be involved in or otherwise cause a traffic collision that would result in serious injury or death to others on the roadway and operating their own motor vehicles in a similar fashion as defendant Brown, the same indicating a lack of due regard for the safety of others on the roadway to include Plaintiff.

163. As a direct and proximate result of defendants Willis', Keightley's, Cummins' and Staigerwald's negligence, Plaintiff was caused to suffer injury to her person, said personal injury to include physical injury, pain and suffering, emotional distress, loss of enjoyment of life, loss of opportunity, permanent physical scarring, permanent physical impairment, medical expenses, past and future, lost wages, past and future, and other damages.

164. Pursuant to MD CODE ANN., § 19-103 defendant Maryland Transportation Authority, as owner or lessee of the emergency vehicles involved, is liable for the negligence of defendants Willis, Keightley, Cummins and Staigerwald.

WHEREFORE, Plaintiff demands judgment against Defendant, jointly and severally, in an amount in excess of \$75,000.00, any award to include post judgment interest and costs of this action, and any other appropriate relief.

**COUNT XXI -- MD. CODE ANN., TRANSP. § 19-103 (NEGLIGENCE)
(Estate of Sonjia Johnson-Baker as to Maryland Transportation Authority)**

Plaintiff repeats, realleges and incorporates by reference each and every allegation set forth above and further states as follows:

165. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald were operating motor vehicles that were emergency vehicles as defined by MD. CODE ANN., TRANSP. §§ 11-118 & 19-103.

166. Upon knowledge, information and belief at all times relevant hereto the vehicles operated by defendants Willis, Keightley, Cummins and Staigerwald were owned or leased by defendant Maryland Transportation Authority.

167. Upon knowledge, information and belief at all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald were authorized operators of their respective vehicles engaged in the performance of an emergency service as defined in MD. CODE ANN., TRANSP. § 19-103(a).

168. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald owed Plaintiff a duty to operate their respective motor vehicles in a reasonable fashion and with an appropriate level of care so as to avoid causing injury to other motorists on the roadway to include Plaintiff. That duty included a duty to adhere to the laws, rules and regulations then and there in effect, to maintain control of their respective vehicles and to avoid colliding.

169. Further defendants Willis, Keightley, Cummins and Staigerwald owed others on the roadway, to include Ms. Johnson-Baker:

- a. A duty of care as they set in motion a chain of events which they knew or should have known would lead to a third-party's injury either by the fleeing Mr. Brown or as a result of their efforts to stop Mr. Brown's vehicle; and
- b. A duty to drive with due regard for her safety.

170. Defendants Willis, Keightley, Cummins and Staigerwald each breached their duties to Ms. Johnson-Baker by, *inter alia*, initiating a high speed chase of defendant Brown at speeds well in excess of 100 miles per hour to include speeds in excess of 130 miles per hour, maintaining a high speed chase of defendant Brown after it became known to them that defendant Brown was operating his motor vehicle in an erratic fashion, maintaining a high speed chase of defendant Brown after it became known to them that Mr. Brown was making abrupt lane changes, swerving in and out of traffic and otherwise operating his motor vehicle in a manner that indicated he was likely to be involved in or otherwise cause a traffic collision that would result in serious injury or death to others on the roadway and operating their own motor vehicles in a similar fashion as defendant Brown, the same indicating a lack of due regard for the safety of others on the roadway to include Plaintiff.

171. As a direct and proximate result of defendants Willis', Keightley's, Cummins' and Staigerwald's negligence Ms. Johnson-Baker was caused to suffer grievous injury to her person, said personal injury to include physical injury, pain and suffering, emotional

distress, loss of enjoyment of life, loss of opportunity, anticipation of death, death, medical expenses and funeral expenses.

172. Pursuant to MD CODE ANN., § 19-103 defendant Maryland Transportation Authority, as owner or lessee of the emergency vehicles involved, is liable for the negligence of defendants Willis, Keightley, Cummins and Staigerwald.

WHEREFORE, Plaintiff demands judgment against Defendant, jointly and severally, in an amount in excess of \$75,000.00, any award to include post judgment interest and costs of this action, and any other appropriate relief.

COUNT XXII -- *RESPONDEAT SUPERIOR* (NEGLIGENCE)
(Rolonda Johnson as to Maryland Department Transportation Authority)

Plaintiff repeats, realleges and incorporates by reference each and every allegation set forth above and further states as follows:

173. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald were employees of the Maryland Transportation authority acting within the scope of their respective employment.

174. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald owed Plaintiff a duty to operate their respective motor vehicles in a reasonable fashion and with an appropriate level of care so as to avoid causing injury to other motorist on the roadway to include Plaintiff. That duty included a duty to adhere to the laws, rules and regulations then and there in effect, to maintain control of their respective vehicles and to avoid colliding.

175. Further defendants Willis, Keightley, Cummins and Staigerwald owed others on the roadway, to include Plaintiff:

a. A duty of care as they set in motion a chain of events which they knew or should have known would lead to a third-party's injury either by the fleeing Mr. Brown or as a result of their efforts to stop Mr. Brown's vehicle; and

b. A duty to drive with due regard for her safety.

176. Defendants Willis, Keightley, Cummins and Staigerwald each breached their duties to Plaintiff by, *inter alia*, initiating a high speed chase of defendant Brown at speeds well in excess of 100 miles per hour to include speeds in excess of 130 miles per hour, maintaining a high speed chase of defendant Brown after it became known to them that defendant Brown was operating his motor vehicle in an erratic fashion, maintaining a high speed chase of defendant Brown after it became known to them that Mr. Brown was making abrupt lane changes, swerving in and out of traffic and otherwise operating his motor vehicle in a manner that indicated he was likely to be involved in or otherwise cause a traffic collision that would result in serious injury or death to others on the roadway and operating their own motor vehicles in a similar fashion as defendant Brown, the same indicating a lack of due regard for the safety of others on the roadway to include Plaintiff.

177. As a direct and proximate result of defendants Willis', Keightley's, Cummins' and Staigerwald's negligence, Plaintiff was caused to suffer injury to her person, said personal injury to include physical injury, pain and suffering, emotional distress, loss of enjoyment of life, loss of opportunity, permanent physical scarring, permanent physical impairment, medical expenses, past and future, lost wages, past and future, and other damages.

178. As employer of defendants Willis, Keightley, Cummins and Staigerwald defendant Maryland Transportation Authority is liable for their negligence.

WHEREFORE, Plaintiff demands judgment against Defendant, jointly and severally, in an amount in excess of \$75,000.00, any award to include post judgment interest and costs of this action, and any other appropriate relief.

COUNT XXIII -- *RESPONDEAT SUPERIOR* (NEGLIGENCE)
(Verlonda Johnson-Baker as to Maryland Transportation Authority)

Plaintiff repeats, realleges and incorporates by reference each and every allegation set forth above and further states as follows:

179. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald were employees of the Maryland Transportation Authority acting within the scope of their respective employment.

180. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald owed Plaintiff a duty to operate their respective motor vehicles in a reasonable fashion and with an appropriate level of care so as to avoid causing injury to other motorists on the roadway to include Plaintiff. That duty included a duty to adhere to the laws, rules and regulations then and there in effect, to maintain control of their respective vehicles and to avoid colliding.

181. Further defendants Willis, Keightley, Cummins and Staigerwald owed others on the roadway, to include Plaintiff:

a. A duty of care as they set in motion a chain of events which they knew or should have known would lead to a third-party's injury either by the fleeing Mr. Brown or as a result of their efforts to stop Mr. Brown's vehicle; and

b. A duty to drive with due regard for her safety.

182. Defendants Willis, Keightley, Cummins and Staigerwald each breached their duties to Plaintiff by, *inter alia*, initiating a high speed chase of defendant Brown at speeds well in excess of 100 miles per hour to include speeds in excess of 130 miles per hour, maintaining a high speed chase of defendant Brown after it became known to them that defendant Brown was operating his motor vehicle in an erratic fashion, maintaining a high speed chase of defendant Brown after it became known to them that Mr. Brown was making abrupt lane changes, swerving in and out of traffic and otherwise operating his motor vehicle in a manner that indicated he was likely to be involved in or otherwise cause a traffic collision that would result in serious injury or death to others on the roadway and operating their own motor vehicles in a similar fashion as defendant Brown, the same indicating a lack of due regard for the safety of others on the roadway to include Plaintiff.

183. As a direct and proximate result of defendants Willis', Keightley's, Cummins' and Staigerwald's negligence, Plaintiff was caused to suffer injury to her person, said personal injury to include physical injury, pain and suffering, emotional distress, loss of enjoyment of life, loss of opportunity, permanent physical scarring, permanent physical impairment, medical expenses, past and future, lost wages, past and future, and other damages.

184. As employer of defendants Willis, Keightley, Cummins and Staigerwald defendant Maryland Transportation Authority is liable for their negligence.

WHEREFORE, Plaintiff demands judgment against Defendant, jointly and severally, in an amount in excess of \$75,000.00, any award to include post judgment interest and costs of this action, and any other appropriate relief.

COUNT XXIV -- *RESPONDEAT SUPERIOR* (NEGLIGENCE)
(Estate of Sonja Johnson-Baker as to Maryland Transportation Authority)

Plaintiff repeats, realleges and incorporates by reference each and every allegation set forth above and further states as follows:

185. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald were employees of the Maryland Transportation Authority acting within the scope of their respective employment.

186. At all times relevant hereto defendants Willis, Keightley, Cummins and Staigerwald owed Ms. Johnson a duty to operate their respective motor vehicles in a reasonable fashion and with an appropriate level of care so as to avoid causing injury to other motorist on the roadway to include Plaintiff. That duty included a duty to adhere to the laws, rules and regulations then and there in effect, to maintain control of their respective vehicles and to avoid colliding.

187. Further defendants Willis, Keightley, Cummins and Staigerwald owed others on the roadway, to include Plaintiff:

a. A duty of care as they set in motion a chain of events which they knew or should have known would lead to third-party's injury either by the fleeing Mr. Brown or as a result of their efforts to stop Mr. Brown's vehicle; and

b. A duty to drive with due regard for her safety.

188. Defendants Willis, Keightley, Cummins and Staigerwald each breached their duty to Ms. Johnson by, *inter alia*, initiating a high speed chase of defendant Brown at speeds well in excess of 100 miles per hour to include speeds in excess of 130 miles per hour, maintaining a high speed chase of defendant Brown after it became known to them that defendant Brown was operating his motor vehicle in an erratic fashion, maintaining a high speed chase of defendant Brown after it became known to them that Mr. Brown was making abrupt lane changes, swerving in and out of traffic and otherwise operating his motor vehicle in a manner that indicated he was likely to be involved in or otherwise cause a traffic collision that would result in serious injury or death to others on the roadway and operating their own motor vehicles in a similar fashion as defendant Brown, the same indicating a lack of due regard for the safety of others on the roadway to include Ms. Johnson-Baker.

189. As a direct and proximate result of defendants Willis', Keightley's, Cummins' and Staigerwald's negligence Ms. Johnson-Baker was caused to suffer grievous injury to her person, said personal injury to include physical injury, pain and suffering, emotional distress, loss of enjoyment of life, loss of opportunity, anticipation of death, death, medical expenses and funeral expenses.

190. As employer of defendants Willis, Keightley, Cummins and Staigerwald defendant Maryland Transportation Authority is liable for their negligence.

WHEREFORE, Plaintiff demands judgment against Defendant, jointly and severally, in an amount in excess of \$75,000.00, any award to include post judgment interest and costs of this action, and any other appropriate relief.

COUNT XXV -- GROSS NEGLIGENCE

(Rolonda Johnson as to defendants Willis, Keightley, Cummins & Staigerwald)

Plaintiff repeats, realleges and incorporates by reference each and every allegation set forth above and further states as follows:

191. At all times relevant hereto defendants Willis, Keightley, Cummins & Staigerwald each owed Plaintiff a duty to operate his/her respective motor vehicle in a reasonable fashion and with an appropriate level of care so as to avoid causing injury to other motorist on the roadway to include Plaintiff. That duty included, but was not limited to, a duty to adhere to the laws, rules and regulations then and there in effect, to maintain control of his vehicle, to avoid colliding and to drive with due regard for the safety of others on the roadway.

192. Throughout their pursuit of defendant Brown they operated their vehicles in a particularly reckless fashion. The chase lasted approximately fifteen miles during much of which the defendants were traveling at speeds in excess of one hundred miles an hour and at times reaching speeds in excess of 130 miles per hour all while pursuing a vehicle that was weaving in and out of traffic, making abrupt lane changes and utilizing the shoulder of the roadway to pass motorist at exceedingly high speeds. Throughout the pursuit the defendants operated their respective vehicles in much the same fashion as Mr. Brown operated his own.

193. Defendants' operation of their respective motor vehicles, as described *infra*, was consistent with a wanton and reckless disregard for the lives and rights of other human beings. Further, their actions, as described *infra*, constituted an intentional failure to perform a manifest duty in reckless disregard of the consequences as affecting the life or property of others, to include the Plaintiff, and implied a thoughtless disregard of the consequences of their actions without the exertion of any effort to avoid them.

194. The manner in which defendants operated their respective motor vehicles, as described *infra*, constituted a breach of their respective duties to Plaintiff and was so reckless as to constitute gross negligence under the law.

195. As a direct and proximate result of Defendants' gross negligence, Plaintiff was caused to suffer injury to her person, said personal injury to include physical injury, pain and suffering, emotional distress, loss of enjoyment of life, loss of opportunity, permanent physical scarring, permanent physical impairment, medical expenses, past and future, lost wages, past and future, and other damages.

WHEREFORE, Plaintiff demands judgment against Defendant, jointly and severally, in an amount in excess of \$75,000.00, any award to include post judgment interest and costs of this action, and any other appropriate relief.

COUNT XXVI -- GROSS NEGLIGENCE
(Verlonda Johnson-Baker as to defendants Willis, Keightley, Cummins & Staigerwald)

Plaintiff repeats, realleges and incorporates by reference each and every allegation set forth above and further states as follows:

196. At all times relevant hereto defendants Willis, Keightley, Cummins & Staigerwald each owed Plaintiff a duty to operate his/her respective motor vehicle in a reasonable fashion and with an appropriate level of care so as to avoid causing injury to other motorist on the roadway to include Plaintiff. That duty included, but was not limited to, a duty to adhere to the laws, rules and regulations then and there in effect, to maintain control of his vehicle, to avoid colliding and to drive with due regard for the safety of others on the roadway.

197. Throughout their pursuit of defendant Brown they operated their vehicles in a particularly reckless fashion. The chase lasted approximately fifteen miles during much of which the defendants were traveling at speeds in excess of one hundred miles an hour and at times reaching speeds in excess of 130 miles per hour all while pursuing a vehicle that was weaving in and out of traffic, making abrupt lane changes and utilizing the shoulder of the roadway to pass motorist at exceedingly high speeds. Throughout the pursuit the defendants operated their respective vehicles in much the same fashion as Mr. Brown operated his own.

198. Defendants' operation of their respective motor vehicles, as described *infra*, was consistent with a wanton and reckless disregard for the lives and rights of other human beings. Further, their actions, as described *infra*, constituted an intentional failure to perform a manifest duty in reckless disregard of the consequences as affecting the life or property of others, to include the Plaintiff, and implied a thoughtless disregard of the consequences of their actions without the exertion of any effort to avoid them.

199. The manner in which defendants operated their respective motor vehicles, as described *infra*, constituted a breach of their respective duties to Plaintiff and was so reckless as to constitute gross negligence under the law.

200. As a direct and proximate result of Defendants' gross negligence, Plaintiff was caused to suffer injury to her person, said personal injury to include physical injury, pain and suffering, emotional distress, loss of enjoyment of life, loss of opportunity, permanent physical scarring, permanent physical impairment, medical expenses, past and future, lost wages, past and future, and other damages.

WHEREFORE, Plaintiff demands judgment against Defendant, jointly and severally, in an amount in excess of \$75,000.00, any award to include post judgment interest and costs of this action, and any other appropriate relief.

COUNT XXVII -- GROSS NEGLIGENCE
(Estate of Sonja Johnson-Baker as to
defendants Willis, Keightley, Cummins & Staigerwald)

Plaintiff repeats, realleges and incorporates by reference each and every allegation set forth above and further states as follows:

201. At all times relevant hereto defendants Willis, Keightley, Cummins & Staigerwald each owed Ms. Johnson-Baker a duty to operate his/her respective motor vehicle in a reasonable fashion and with an appropriate level of care so as to avoid causing injury to other motorists on the roadway to include Ms. Johnson-Baker. That duty included, but was not limited to, a duty to adhere to the laws, rules and regulations then and there in

effect, to maintain control of his vehicle, to avoid colliding and to drive with due regard for the safety of others on the roadway.

202. Throughout their pursuit of defendant Brown they operated their vehicles in a particularly reckless fashion. The chase lasted approximately fifteen miles during much of which the defendants were traveling at speeds in excess of one hundred miles an hour and at times reaching speeds in excess of 130 miles per hour all while pursuing a vehicle that was weaving in and out of traffic, making abrupt lane changes and utilizing the shoulder of the roadway to pass motorist at exceedingly high speeds. Throughout the pursuit the defendants operated their respective vehicles in much the same fashion as Mr. Brown operated his own.

203. Defendants' operation of their respective motor vehicles, as described *infra*, was consistent with a wanton and reckless disregard for the lives and rights of other human beings. Further, their actions, as described *infra*, constituted an intentional failure to perform a manifest duty in reckless disregard of the consequences as affecting the life or property of others, to include Ms. Johnson-Baker, and implied a thoughtless disregard of the consequences of their actions without the exertion of any effort to avoid them.

204. The manner in which defendants operated their respective motor vehicles, as described *infra*, constituted a breach of their respective duties to Ms. Johnson-Baker and was so reckless as to constitute gross negligence under the law.

205. As a direct and proximate result of defendants Willis', Keightley's, Cummins' and Staigerwald's negligence Ms. Johnson-Baker was caused to suffer grievous injury to her person, said personal injury to include physical injury, pain and suffering, emotional distress, loss of enjoyment of life, loss of opportunity, anticipation of death, death, medical expenses and funeral expenses.

WHEREFORE, Plaintiff demands judgment against Defendant, jointly and severally, in an amount in excess of \$75,000.00, any award to include post judgment interest and costs of this action, and any other appropriate relief.

COUNT XXVIII -- WRONGFUL DEATH
(Rolonda Johnson, Verlonda Johnson-Baker &
Virginia Johnson as to all defendants)

Plaintiffs repeat, reallege and incorporate by reference each and every allegation set forth above and further state as follows:

206. Plaintiffs bring this count pursuant to MD. CODE ANN., CTS. & JUD. PROC. § 3-901, *et seq.* As a direct and proximate result of the negligence, gross negligence and other wrongful acts of the defendants, as alleged above, and the ensuing death of Sonja Johnson-Baker plaintiffs have suffered a loss of financial support and services, mental anguish, emotional pain and suffering, loss of society, loss of companionship, loss of comfort, loss of protection, loss of attention, advice and counsel as well as loss of protection, parental care, training, guidance and education.

WHEREFORE, Plaintiffs demand judgment against Defendants, jointly and severally, in an amount in excess of \$75,000.00, any award to include post judgment interest and costs of this action, and any other appropriate relief.

COUNT XXIX -- WRONGFUL DEATH
(Allen Johnson, Marlene Johnson, & Vincent Johnson as to all defendants)

Plaintiffs repeat, reallege and incorporate by reference each and every allegation set forth above and further states as follows:

207. Plaintiffs bring this count pursuant to MD. CODE ANN., CTS. & JUD. PROC. § 3-901, *et seq.* As a direct and proximate result of the negligence, gross negligence and other wrongful acts of the defendants, as alleged above, and the ensuing death of Sonja Johnson-Baker plaintiffs have suffered mental anguish, emotional pain and suffering, loss of society, loss of companionship, loss of comfort, loss of protection, loss of attention, advice and counsel as well as loss of protection, parental care, training, guidance and education.

WHEREFORE, Plaintiffs demand judgment against Defendants, jointly and severally, in an amount in excess of \$75,000.00, any award to include post judgment interest and costs of this action, and any other appropriate relief.

Respectfully submitted:

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PRAYER FOR JURY TRIAL

Plaintiff hereby demands a trial by jury of all allegations contained herein.



F. Scott Lucas